townspeople, who were able for the first time to get a hearing during daytime office hours.

My friend, Paul Ylvisaker, New Jersey's Commissioner for Community Affairs, tells me that local government in particular are suffering an acute shortage of well-trained and dedicated people. City planning posts go begging, civil engineers are in short supply, the level of administrative personnel in most cities and towns is low. All up and down the line of local government there is work that carries enormous responsibility for shaping the course of urban life—and far too few people to do this work well.

Clearly, if industry and business can use summer employees from high schools and colleges, government has all the more reason for recruiting such help. No city or town can escape the obligation to find ways of bringing interested and able young people into the mainstream of political activity and public process.

As for industry, surely the corporation can respond even more meaningfully to many of the criticisms that young people express. One way is to make better use of students in the solution of some of the new problems facing business now. At Cornell we are beginning a cooperative program with industry in the Finger Lakes region this summer that will allow Negro students to help personnel departments think through the problems of training and employing large numbers of Negro workers. We hope that out of this program will come not only more jobs for underemployed black people in the area, but a better understanding on the part of both the students and industry of the issues involved here.

Labor has much to do to revive itself as a progressive force. With unemployment at the lowest rate in our history, it would seem that labor could afford to be less exclusive and defensive of its admittedly hard-won security. Now that it knows how, labor could fight for the inclusion of many new workers under its protective wing—Negroes in particular, but also younger workers in part time and summer jobs and in the more tightly controlled trades. Young people might also be more interested in taking part in the future of the labor movement if they were given a chance to work with labor unions during the summer and to do first-hand research on labor problems as part of their university study.

It is no secret by now that the university itself has its next few years cut out for it, too. We will all have to be most imaginative about how we can include more and more students in university management. This applies to academic as well as institutional affairs. This process will be hobbled, however, if students demand more than they can deliver and if faculty and administration stand too much on their prerogatives.

RE-ESTABLISHMENT OF PROGRESSIVE SOCIETY

Beyond the specific reforms that must be undertaken by each of our major institutions, however, I think that a re-establishment of a progressive society in this country will require several rather substantial changes of attitude.

Although I do not advocate a return to the domestic battles of the '30s, it seems clear there will have to be a loosening of the ties among government, labor, business, and the universities. These institutions will have to become more critical of each other, and they can do this only if they are not so closely bound by interest and inclination to each other's goals.

For government, this will mean a much tougher attitude toward the demands of business and labor and even, alas, the universities. George Meany said recently his unions would respond to a command from Washington to put a ceiling on wage demands but not a polite request. He got, as you may remember, a polite request. If business is to pursue more public-spirited policies, it may have to be given much more uncomfortable prodding from the government that it has been accustomed to in the recent past.

Universities, too, will have to make sure they are not so dependent upon government and business for their survival that they cannot afford to speak out plainly when necessary. The acceptance of government work and corporate donation has been known to result in a slowing down of the university's critical faculties. The answer will have to be an increasing diffusion of support for the university, and that is something the university itself will have to insure.

I think, too, that institutions will have to become less neutral in the face of pressing social and moral issues, and more and more concerned. Northrop Frye, the Canadian critic who has been in residence at Cornell this spring, has said of scholarship that it is always in danger of degenerating from detachment to indifference. It *is* possible to maintain objectivity without losing concern. A labor union can protect the rights of its members without becoming indifferent to the context in which its members must live and work.

A government bureau can protect the interests it was designed to serve without losing sight of other national needs. And a corporation can decide to manufacture useful objects as well as useless ones. Norman Mailer, as you may have noticed in last Sunday's New York Times Magazine, made a very telling point on this subject. "There's the incredible fact," he said, "that in a supposedly rational society we've come to a point where it's almost literally impossible to breathe the air in the city. That's a sign," he concluded, "of a society that's made." It is hard not to agree with him. A corporation cannot be so bent on making a profit that it no longer makes any sense.

Above all, it is necessary that our large institutions, the people who manage them, and the people who operate them, must be dissatisfied, for dissatisfaction is the beginning of change and, I think, progress. I know it is tempting for many young people to believe that progress can only take place outside of institutions in anarchy and disorder. It is my view that you can't have progress without some order. But by the same token, you can't have order without making it progressive.

Institutions can bend to any purpose we want them to. Corporations do not serve the same people in the same way they used to, and it is unlikely that they will follow the same patterns in the future. The same is true of other organizations.

What is needed, however, is to bring progressive individuals into positions of power in all our institutions. The easy answer is either to smash them or to call for more law and more order. The really tough answer is to inject all our institutions with a new spirit, ready to serve a progressive will.

The structure of our society, I think you will find, is not so rigid after all. It *is* flexible enough to change. And I hope you will be among those of us who intend to change it.

SENATE—*Monday, June 17, 1968*

The Senate met at 12 noon, and was called to order by the President pro tempore.

Rev. N. T. Stavrakis, pastor, the Presentation of Christ Eastern Orthodox Church, East Pittsburgh, Pa., offered the following prayer:

O God of our fathers, and Lord of mercy, who hast made all things with Thy word, and ordained man through Thy wisdom, that he should have dominion over the creatures which Thou hast made, and order the world according to equity and righteousness, and execute judgment with an upright heart, on this day and hour send down Thy holy spirit upon these Thy servants who know that Thy power is the beginning of righteousness, and because Thou art the Lord of all, it maketh Thee to be gracious unto all.

With bended head and contrite heart we ask Thee to shower us with reason before every enterprise, and counsel before every action. Look down with favor upon the Members of the Senate, and bless each of them according to his needs. Remind them daily that to every right there is a duty and to every privilege an obligation. And, Lord, strengthen our land with freedom's holy light. Protect us by Thy might, great God our King. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, June 13, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that on June 15, 1968, the President had approved and signed the following acts:

S. 2178. An act for the relief of Dennis W. Radtke;

S. 2452. An act to provide for the adjustment of the legislative jurisdiction exercised by the United States over lands within the Crab Orchard National Wildlife Refuge in Illinois;

S. 2585. An act for the relief of Kap Rai Kim and Young Nam Kim;

S. 2634. An act to amend section 867(a) of title 10, United States Code, in order to establish the Court of Military Appeals as the U.S. Court of Military Appeals under article I of the Constitution of the United States, and for other purposes; and

S. 3017. An act to change the provision with respect to the maximum rate of interest permitted on loans and mortgages insured under title XI of the Merchant Marine Act, 1936.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

REPORT ON NATIONAL WILDERNESS PRESERVATION SYSTEM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 328)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Interior and Insular Affairs:

To the Congress of the United States:

I am pleased to transmit the fourth annual report on the status of the National Wilderness Preservation System, covering the year 1967.

The Federal Government continues to carry on programs to preserve the natural beauty of our land and make outdoor recreation facilities available to all our citizens. We must also preserve, for use by this and future generations, some of the America that tempered and formed our national character.

—An America with undisturbed mountains and plains, forests and valleys.

—An America with placid lakes and lonely shores which will not be dominated by man and his technology.

—An America where a man can be alone with all the glories of nature, and can renew his spirit in solitary communion with the land.

This was the reason for the Wilderness Act.

And this is the reason why we shall not be content until we have a National Wilderness Preservation System adequately symbolic of our great national heritage.

To pursue this goal, I recently transmitted to the Congress 26 recommended additions to the National Wilderness Preservation System. I urge that the Congress take early and favorable action on them.

Each generation has its own rendezvous with the land. May ours be one that understands the heritage of America, that passes it on for the welfare and enjoyment of future generations.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 14, 1968.*

REPORT OF NATIONAL ADVISORY COUNCIL ON EXTENSION AND CONTINUING EDUCATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 329)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

I am pleased to transmit the Second Annual Report of the National Advisory Council on Extension and Continuing Education.

In the second year of community service and continuing education programs under the Higher Education Act of 1965, 314 colleges and universities conducted more than 600 programs in 53 states and territories. Seminars, workshops, conferences, special courses, counseling, and consultative services were sponsored throughout the country to help in meeting the complex task of improving the quality of life in our communities. The programs were designed to find new answers and to bring new skills and energies to bear on the broad spectrum of community problems—in government, education, health, manpower, housing and other areas.

Nearly half of the 425,000 participants in continuing education and community service programs were employees of state and local governments and other public bodies. The others represented a wide variety of occupations and professions, ranging from workers in private social welfare agencies to owners of small businesses. Each of these participants has gained increased knowledge of the dimensions of the community problems and acquired new skills to cope with them.

Last year, after consultation with the Council, the Administration developed and submitted legislation to the Congress to improve our Continuing Education programs under the Higher Education Act by:

—Extending the program for another five years.

—Enabling smaller colleges and universities to continue to participate.

—Providing additional funds for experimental projects.

This year, the Administration has added to the still-pending legislation a number of the suggestions made by the Council in this report, including the vital recommendation that appropriations be provided in advance of the academic year during which they will be used.

I commend this report to your attention and urge prompt action on the pending legislation to improve the important program.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 17, 1968.*

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The bill clerk proceeded to read sundry nominations in the Department of Health, Education, and Welfare.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

COUNCIL OF ECONOMIC ADVISERS

The bill clerk read the nomination of Warren L. Smith, of Michigan, to be a member of the Council of Economic Advisers.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

U.S. ARMY

The bill clerk proceeded to read sundry nominations in the Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

U.S. MARINE CORPS

The bill clerk read the nomination of Lt. Gen. Ralph K. Rottet, U.S. Marine Corps, for appointment to the grade indicated on the retired list, in accordance with the provisions of title 10, United States Code, section 5233, effective from the date of his retirement.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The bill clerk read the nomination of Lynn M. Bartlett, of Michigan, to be an Assistant Secretary of Health, Education, and Welfare.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

OFFICE OF ECONOMIC OPPORTUNITY

The bill clerk read the nomination of James D. Templeton, of Kentucky, to be an Assistant Director of the Office of Economic Opportunity.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

FEDERAL COAL MINE SAFETY BOARD OF REVIEW

The bill clerk read the nomination of George C. Trevorrow, of Maryland, to be a member of the Federal Coal Mine Safety Board of Review.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

NATIONAL LIBRARY OF MEDICINE

The bill clerk proceeded to read sundry nominations in the National Library of Medicine.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

NATIONAL SCIENCE BOARD

The bill clerk proceeded to read sundry nominations in the National Science Board.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—ARMY

The bill clerk proceeded to read sundry nominations in the Army which had been placed on the Secretary's desk.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

TRIBUTE TO THE LATE SENATOR ROBERT F. KENNEDY

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a very warm and heart-touching letter from Prof. Juan B. Sepulveda Lozano of the Mercantile Institute of Monterrey, Monterrey, Mexico, commenting on the passing of our late and respected colleague Robert F. Kennedy.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[Spanish translation]

MERCANTILE INSTITUTE OF MONTEREY,
Mexico 4, D.F., June 7, 1968.

Let Us Pray: Grant us, Oh Lord, that the soul of your servant Robert F. Kennedy who has been wrested from the recent fights in our lives here, enter the kingdom of heaven through our Lord Jesus Christ.

Senator MIKE MANSFIELD,
U.S. Senate, Office of the Majority Leader, Washington, D.C.

DEAR SIR: The attempt made in the early hours of June 5th on Senator Robert F. Kennedy, a dear friend of Mexico and of the humble, deeply moved the administrative personnel, the teaching staff and the students of this commercial school.

Truly, on Wednesday and Thursday of this week, family man, teachers and students of this educational institute have been avidly reading and listening to the bulletins which, transmitted by the press, radio and T.V., gave a step-by-step account of the different stages of this dismal happening that fills with mourning the hearts of our good Neighbors of the North and also those of the Great Mexican Family who learned that the splinters of an assassin's bullet brought about irreparable damages to the brain which caused the death of an outstanding, valiant, temperate, modest, gay and, most of all, bighearted man whose life and work—both exemplary—furthermore are a symbol of virtue and austerity, a lofty example for the youth of the present and the future who will take and hold up the banners of Democracy and Social Justice which always have been maxims in the life of this glorious and exemplary U.S. Citizen.

This inexplicable, odious and inhuman attempt is, in our opinion, an affront to human dignity and a violation of the commandment of brotherly love which God's Law prescribed to all men: "Love each other."

Mr. Mansfield, we, the administrative and teaching personnel of this institute, observed this morning one minute of silence to show our grief, affection and admiration for the vanished; furthermore, we sent our most sincere prayers for him to God, Our Lord, and, truthfully, we wish to tell you that we all felt great pain when we heard of this new tragedy that filled this great American people with sadness, fright and mourning.

As technical director of this House of Education, I respectfully wish to tell you that I as well as my colleagues and teachers were profoundly moved when we learned of the attempt on Senator Robert F. Kennedy, Presidential Candidate. Furthermore, as a Christian, I see in this act a terrible, inhuman, useless affair that will only achieve the opposite.

With the preceding, we fervently wish to declare that we, the management, the teachers, family men and students of this school, share grief with you, the Kennedy family and your people and we, piously, beg and ask our Lord that the eminent U.S. citizen, Robert F. Kennedy, may rest in peace because he fought so much in his life and his virtues are the everlasting fuel that will always revive his memory in the heads and hearts of the U.S. people.

On behalf of the young men of this Institute we salute you and ask God that this so painful happening turn to light to explain to us why there is so much harm in the life of the Civilized Nations.

Yours truly,
[Signature],
For the Management and Teaching Staff.
Prof. JUAN B. SEPULVEDA LOZANO,
Technical Director.
PEDRO VISCANA,
For the Students.
——— SANCHEZ,
For the Association of Parents.

FIREARMS CONTROL LEGISLATION

Mr. MANSFIELD. Mr. President, on June 10, in a speech before the Senate, I set forth my views on my position on firearms legislation. I stated at that time what I thought should be done and what I had consistently stood for. I ask unanimous consent that the remarks I made on June 10 be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

GUN CONTROL LEGISLATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for 5 or 6 minutes.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, there has been a great deal of pressure for the passing of antigun laws to prevent violence and to stop assassinations. I believe that it is imperative for the American people to understand that no type of gun law will prevent murder, and that any law passed will not prevent persons who are bent on breaking the law from acquiring guns or weapons of any sort. I believe that most guns used in the execution of a felony are bootlegged, stolen, or guns bought under the counter. It is my further belief that the persons who would be most affected are those law-abiding citizens who possess firearms for the protection of their families, their homes, their possessions, and their recreation.

I would point out that the Senate, on its own initiative before the assassination of our late beloved and respected colleague, Senator Kennedy, completed action on the safe streets and crime control bill.

The Congress completed action on this bill which bans interstate mail order sales of handguns and permits over-the-counter sales of handguns within a State only to residents over 21. Incidentally, 44 percent of the murders in this country were committed with handguns and only 16 percent by other guns. Rifles and shotguns are not covered by the restrictions. The bill also outlaws possession of any sort of firearms by persons convicted of a felony, mental incompetents, veterans with anything less than an honorable discharge, Americans who have renounced their citizenship and aliens illegally in this country.

The action of the Senate, concurred in by the House, does not ban the mail-order sale of rifles or shotguns, nor does it fulfill many of the recommendations cited by the President's Commission on Law Enforcement and Administration of Justice. That Commission recommended:

First. The outlawing of private possession of such military-type firearms as bazookas, machineguns, mortars, and antitank guns.

Second. Prohibiting such persons as habitual drunkards, drug addicts, mentally incompetents, mentally disturbed, and ex-convicts from buying or possessing firearms. This has already been done by the Senate in the safe streets and crime control bill.

Third. Underscored the need for State registration of all firearms, and State permits to possess or carry handguns.

These requirements will not stop the killing; they may help to discourage it, and personally I would favor them.

The President and the people of this country can be assured that the Chief Executive's plea to close the "brutal loopholes" in our gun laws will be given every consideration.

I favor, and I have favored, the registration of all firearms, but I believe that it is basically a State function, and that the various States should accept this responsibility and not place it on the shoulders of the Federal Government. If the States will not act, then I think it will be the duty of the Federal Government to assume that responsibility, as it has all too often when the States refused to assume theirs.

As far as handguns are concerned, it is my belief that they should not only be outlawed, as they are in the bill passed by the Senate, but that the most serious consideration should be given to restricting their use to law enforcement authorities or other persons qualified to use them in the line of duty.

Again I want to repeat, so that the issue can be set forth in perspective, that we can pass all the gun laws in the country and still not prevent people from getting shot. Gun laws no matter how stringent are not the answers and are not a cure-all, and we all had better face up to that fact. The answer lies in a sense of responsibility, parental con-

trol, more and better trained police, improvement of environmental conditions, obedience to the law, and less protection for the criminal and more protection for the innocent. There is too much lawlessness, disrespect, and irresponsibility today, and as far as guns are concerned every weapon in the country could be seized and confiscated, but we would still have the problem of guns of a crude type which could be manufactured at home, could be used with deadly accuracy, and they could kill.

It is impossible to give total protection to any public figure today, and while some States, such as California, Michigan, and New York, have tight gun control laws, yet in California a suspect possessing a gun illegally, carrying it illegally, and using it illegally, took the life of our late colleague.

Any proposal on gun legislation will, I hope, and I am sure, be given prompt consideration by the Judiciary Committee or by whatsoever committee it may be referred to.

Any bill that is reported will be taken up promptly by the Policy Committee and will be brought to the floor of the Senate after that committee has acted.

We ought to think not only of public persons—and their deaths are, indeed, tragic—but also of the ordinary people, such as the two marine lieutenants, one of them from Fishtail, Mont., who were shot in a little hamburger stand in Washington during the past week; of the busdriver who was held up and murdered; of the high school boy from Wilson High School, who a week or 10 days ago was assaulted and murdered; and of the thousands of little people, who are likewise entitled to just as much protection as are public figures, although certain public figures, because of their particular circumstances, need a great deal more. I shall have more to say about that at a later time.

Mr. President, I conclude by stating again that it was the Senate that initiated a good bill for the control of handguns, and that the House also approved that bill. So far as I am concerned, I hope that the President will sign the safe streets and omnibus crime control bill, because I think it is not only needed, but is also long overdue.

Mr. MANSFIELD. On June 12, the distinguished junior Senator from Maryland [Mr. TYDINGS] introduced a firearms control bill, and during the course of that speech I engaged in a colloquy with him relative to its meaning and intent. I ask unanimous consent, Mr. President, to have that colloquy printed at this point in the RECORD.

There being no objection, the colloquy was ordered to be printed in the RECORD, as follows:

Mr. MANSFIELD. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I am glad to yield.

Mr. MANSFIELD. Following the distinguished Senator's line of thought, I should like to add the fact that two marine lieutenants who had just been graduated from Quantico were shot in a hamburger shop in Washington last week. One of them, 2d Lt. Thaddeus Lesnick, was from Fishtail, Mont.

A Negro boy, a graduate of Wilson High School, also was shot and killed. He, likewise, should be considered along with the others.

I am glad that the Senator from Maryland is emphasizing that this is a problem which is not only confined to great men or great personalities, but includes also the little people, who cannot generate the type of support the others can, but whose needs and considerations are just as great. I feel, and I know certain, that these examples could be multiplied many times over.

If I may, I should like to ask a question of the distinguished Senator.

Mr. TYDINGS. Certainly.

Mr. MANSFIELD. Do I correctly understand the Senator to say that the bill which he is introducing today—I have not seen it; I am looking at some statements concerning it—would provide for the registration of all firearms in the United States?

Mr. TYDINGS. The Senator is correct.

Mr. MANSFIELD. Is it the Senator's contention that that would encourage——

Mr. TYDINGS. This bill would in no way require the turning in of weapons—I hope I correctly judge the import of the Senator's question——

Mr. MANSFIELD. Yes, indeed. Would it also encourage States to provide for such registration, among other things?

Mr. TYDINGS. That is correct. It would be my hope that the States would enact their own registration laws. My bill provides that if a State did act its law will automatically preempt. If a State does not act, the Federal law would apply.

Mr. MANSFIELD. Very well. That is what I was trying to understand.

The Senator may or may not recall that on Monday last I made a speech on the floor of the Senate in which I stated that a number of proposals had been made by the President's Commission on Law Enforcement and Administration of Justice, including the outlawing of the private possession of such military types of firearms as bazookas, machineguns, mortars, and antitank guns; second, prohibiting such persons as habitual drunkards, drug addicts, mentally incompetents, mentally disturbed, and ex-convicts from buying or possessing firearms.

In my opinion, this has already been done in title IV of the safe streets and crime control bill in the section relating to handguns.

Mr. TYDINGS. One part of the National Crime Commission's recommendations was embodied in title IV. The Senator from Montana brings up a very good point. That is why I included the entirety of the National Crime Commission's recommendations in my own remarks, because my bill is really patterned after and based on the recommendations which the Senator has read and which the Senator has quoted.

Mr. MANSFIELD. The third recommendation underscored the need for State registration of all firearms, and for State permits to possess or carry handguns. My remarks follow:

"These requirements will not stop killing; they may help to discourage it, and personally I would favor them."

Further, I stated:

"I favor, and I have favored, the registration of all firearms, but I believe that it is basically a State function, and that the various States should accept this responsibility and not place it on the shoulders of the Federal Government. If the States will not act, then I think it will be the duty of the Federal Government to assume that responsibility, as it has all too often when the States have refused to assume theirs."

Is that in accord with the Senator's proposal?

Mr. TYDINGS. That is exactly the philosophy of the proposal. As a matter of fact, we had before us the Senator's speech and his recommendations while we were drafting the proposed legislation. Unfortunately, in the past 30 years the only one gun control law which was able to pass any State legislature—in New Jersey—and that was a far weaker law than we propose, and that was in New Jersey. During that period, all attempts to enact sane gun laws by State legislatures have been vehemently opposed by the National Rifle Association and the gun lobby. So we provide that our bill would take effect only if the State failed to act. The State could act and would thus preempt the field at any time.

Mr. MANSFIELD. I suppose the Senator has in mind California, Michigan, New York, and New Jersey as States which have good gun control laws at present.

Mr. TYDINGS. Yes. So far as registration is concerned, I think they accomplish what we seek.

My bill also requires that an individual must obtain a license in order to possess, purchase, or transfer a firearm. Under the bill, each State will set up its own licensing procedure. But if the State does not do that, then the Federal law will apply. Under this bill, a license will automatically be given to an individual who states truthfully, that he is not a convicted felon, is not under indictment for a felony, has not been convicted of a misdemeanor involving violence, has never been institutionalized, under court order, for alcoholism, drug addiction, or mental incompetency, is over 18 years of age, and is a U.S. citizen.

In addition, fingerprints and a photograph would be required, unless the Governor of a State indicates to the Secretary of the Treasury that obtaining fingerprints or a photograph would not be practicable for residents in his State. For example, if a State is sparsely populated or long distances must be traveled to find people qualified to take fingerprints or to develop photographs, then the Governor could get an exemption for his State from this requirement.

If a license application is submitted containing all this information, and if the information is truthful, automatically the firearms license would be issued. The Secretary of the Treasury would have no discretion to withhold the license.

Hopefully, the States would move to set up machinery for firearms licensing and for registration. If a State did act, then the Federal law would not apply in that State.

Mr. MANSFIELD I appreciate the remarks of the distinguished Senator. I assure him that I have followed his statements with great interest.

Mr. TYDINGS. I thank the distinguished majority leader. I hope he will agree that my proposed legislation is basically within the philosophy and meets the objectives set out in the remarks which he made earlier this week.

I should like to re-emphasize the point made by the majority leader, that this is not a problem involving only public officials. This is a problem involving the people of the United States.

After the riots in Detroit, rioters were arrested and guns were confiscated. It was found that a substantial majority—as many as 9 out of ten guns—confiscated could not have had firearms which they could not have purchased under Michigan law. All they did was slip over the State line into Toledo, Ohio, and pick up those "Saturday night specials" for a few dollars and drive back to Detroit.

Last summer, at our hearings on gun control the Governor of New Jersey, after the riots in Newark, pointed out that people who were ineligible to buy a firearm in New Jersey because of a criminal record would hop into their automobiles and drive into other States and purchase all the guns they wanted—and drive back to New Jersey.

The entire thrust of this bill is really to protect the average citizen.

Mr. MANSFIELD. The Tydings bill will place primary responsibility on each State to enact a strong gun law, but will provide Federal Government protection to the extent any State fails to act. This bill is complementary to the gun law Congress enacted as title IV of the omnibus crime bill. The Tydings bill will require registration of all firearms, and a permit for the possession of any firearm.

Registration will provide a record of every gun. Requiring a permit for the possession or purchase of a firearm will at last give the American public some assurance that criminals, addicts, and mental incompetents will not be able to purchase, own, or even possess a weapon.

Indeed, unpermitted possession would be heavily punished.

This bill will not disarm any law-abiding citizen or unreasonably interfere with his right to own or obtain a gun. In fact, it will require permits to be issued for such meritorious reasons as protecting one's home or property or for sporting purposes, including hunting and target shooting. The bill will not preempt States right. It specifically provides that a State law of equal force or effect as the Federal law will control. Where a State does not act, the Federal law will apply simply to protect the public.

There is no person in this country whose conscience has not been deeply troubled by recent events; by the public tragedies covering the assassinations of our late beloved President, John F. Kennedy, of Dr. Martin Luther King, of Medgar Evers, and of our late beloved and highly respected colleague, Robert F. Kennedy. We have been troubled, too, by the other murders, assassinations and assaults—the private tragedies that have received little in the way of publicity but continue to serve as constant reminders of the depth of violence in our everyday lives. I speak of the murder of two young marine lieutenants earlier this month, one of them a young man from Fishtail, Mont., and other incidents too numerous to mention but all still alive in our memories.

I have been thinking of all of these people and what could be done, not as a cure-all which no one should believe is feasible or possible, but in alleviating crime, curbing irresponsibility and the lack of respect which has become so endemic in this Nation's history.

It is my belief that a sound gun law is a sane and rational approach; one that can be of great help in bringing about a reduction in the murders caused by long and short guns alike. I recognize, of course, as I have stated on many occasions, that there are legitimate, necessary, and compelling reasons for law-abiding citizens to possess guns. And the Tydings bill will protect such citizens just as car owners and others are protected through registration from misappropriation or theft.

The Tydings legislation will not disarm anyone of the right to own a gun. It will strengthen the hands of police officials in the tracing of murder weapons. It will prevent the petty criminal and others of like nature who cannot buy a gun over the counter from a licensed dealer from buying one through the mails.

I have also gone over the testimony of Mr. J. Edgar Hoover, the Director of the FBI, who states:

> There is no doubt in my mind that the easy accessibility of firearms is responsible for many killings, both impulse and premeditated. The statistics are grim and realistic. Strong measures must be taken, and promptly, to protect the public.

And also of Quinn Tamm who is, incidentally, a former Butte, Mont., man and is now the director of the International Association of Chiefs of Police, who says:

> Law-abiding citizens and the police are tired of living in a country which is becoming a veritable armed camp, erupting too frequently into violence, bringing death and destruction by firearms to innocent citizens . . . The ease with which any person can acquire firearms . . . is a significant factor in the prevalence of lawlessness and violent crime in the United States.

I have also gone over again the recommendations of the President's Commission on Law Enforcement and the Administration of Justice and have come to the conclusion, in line with my own conscience and on my own responsibility, that I will support the Tydings firearms control bill. It is in accord with the remarks which I made in the Senate on June 10. It will, in my opinion, help to reduce gun crimes, and it will have my full support.

I ask unanimous consent that I may be listed as a cosponsor of the Tydings firearms control bill.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Without objection, it is so ordered.

THE 40TH ANNIVERSARY OF FLOOD CONTROL ACT OF 1928

Mr. STENNIS. Mr. President, this year marks the 40th anniversary of the enactment of Federal legislation which has had a tremendous impact on the development of the State of Mississippi, the Lower Mississippi Valley, and the Nation as a whole.

On May 15, 1928, President Coolidge signed into law the Flood Control Act of 1928 which provided authority for a direct Federal program of flood protection for the alluvial valley, encompassing parts of seven States and stretching from near Cape Girardeau, Mo., to the Gulf of Mexico, an area which only a year before had suffered a devastating flood in the greatest natural disaster which has ever visited this Nation. In terms of 1968 dollars, property damage alone was on the order of $1 billion. More than 200 lives were lost.

The 1928 act committed the Federal Government, for the first time, to a direct responsibility to its citizens for protection from such natural disasters. From this regional commitment has grown a nationwide program, first established in 1936, which has grown in concept to include not only control of floods but participation in major drainage, soil erosion control, hurricane protection and beach erosion.

The results have been dramatic. Under the competent guidance of the Corps of Engineers, U.S. Army, the project on the lower Mississippi River stands as one of the great engineering achievements of all times. The works which the corps has built in the lower valley have prevented damages thus far of nearly seven times the cost of the improvements. The completed work has allowed the area to become a vital force in the agricultural and industrial economy of the Nation.

As the works of improvement have progressed through the years, our basic farm economy has grown and prospered. Our farmers are no longer subject to periodic losses due to floods. Once we had a one-crop cotton economy; now there is a year-round agriculture which produces grains, truck crops, and cattle in abundance. The prosperity of our agriculture has made the area one of the great markets of the Nation and many of the industries which have located along the river and in the tributary basins are there to meet the demands of this new and expanding demand for the products of their manufacturing plants.

Where once industry refused to consider location in the area because of the threats of floods, it now comes willingly. Ample water supplies, cheap water transportation, and abundant labor have brought tremendous industrial growth throughout the valley.

To illustrate this growth the Delta Council of Mississippi, a very fine regional organization in my State, recently completed a study of the industrial growth in 18 counties of the Mississippi Delta for the 11-year period through 1967. The study revealed that due, in considerable measure, to the flood control and drainage improvements in the area, the number of manufacturing enterprises had increased from 36 to 130; the number of manufacturing jobs from 6,050 to 28,000, and the annual manufacturing payroll from $15,000,000 annually to $115,000,000 annually. Let me emphasize that few, if any, of these new establishments represent movement of industry from other areas into Mississippi. Almost without exception, these plants came there as part of expansion programs to reach new markets. I am sure this experience has been shared by the other States within the valley.

On this anniversary date, I salute the Corps of Engineers for this wonderful accomplishment made possible in large measure by a long-ago Congress with the vision and courage to enact this legislation. I particularly want to pay tribute to the late Hon. Will M. Whittington who was then the Representative of the Mississippi Delta in Congress. He was a member of the committee which framed the original legislation and continued to serve in the House until 1951. During his service as chairman of the Flood Control Committee and, later, the Public Works Committee, the Lower Mississippi Valley project was expanded and the program extended to the remainder of the country. He stands today not only as the "father of flood control" but also as one of the great leaders in the history of the development of our natural resources.

AVAILABILITY OF FORMS TO BE SUBMITTED BY SENATORS AND SENATE EMPLOYEES

Mr. STENNIS. Mr. President, this is a brief announcement concerning the availability of forms for reports of outside employment, contributions, financial interests, and other information in compliance with recently adopted Senate rules 41, 42, and 44.

The Select Committee on Standards and Conduct has prepared three different printed forms which Senators, candidates for Senator, and officers and employees of the Senate may find convenient in making reports under those rules. These forms are entitled, "Statement of Personal Service Activity or Employment," "Confidential Statement of Financial Interests," and "Statement of Contributions and Honorariums."

The forms provide blanks for the in-

sertion of information required to be reported by the rules. In addition, each form contains detailed instructions as to who must file, when to file, what period of time is covered, and with whom the report must be filed.

The rules do not require any particular form for making the reports. Although our committee recommends their use, I wish to make clear that use of these particular forms is not mandatory. They are provided for the convenience of all parties in interest, and their use is entirely a matter of choice.

The Secretary of the Senate has a supply of the forms and will make them available upon request.

VIETNAM AND BERLIN

Mr. SYMINGTON. Mr. President, when the United States announced last March that there would be no further attacks on 75 percent of the territory of North Vietnam, by this action a decision was made not to attack the areas of that nation in which are located nearly all of the enemy's more important military targets.

It has been stated that this decision was taken in the hope some reciprocal reaction from Hanoi would be forthcoming. To date, however, there has been no evidence whatever of any such reaction.

Those who are opposed to giving the enemy any reprieve from air attacks predicted that the North Vietnamese would take advantage of any cessation to rush more weapons and more men into South Vietnam; and justified that prediction on the grounds such reinforcing occurred during all of the seven previous bombing cessations.

There prediction has now come true. During the some 11 weeks since air attacks were halted, the rate of flow of military supplies, weapons and people moving into South Vietnam has more than doubled. Since March 31, tens of thousands of North Vietnamese regulars have moved into South Vietnam.

As a consequence, U.S. casualties have been very heavy. During one 2-week period, more than 1,100 U.S. troops were killed, the highest death rate of the war.

Mr. President, put yourself in the place of Ho Chi Minh. Why would he not use these Paris negotiations to spare his country and its warmaking potential from air attacks during the months of clear weather from May to November?

Has anyone considered the tragic psychological effect such negative policies are having on the average citizen on South Vietnam, as expressed by the woman standing in front of her destroyed home in Saigon when she said: "Saigon is burning. Why not Hanoi?"

A long time ago experienced and objective military critics observed that if the North Vietnamese military reverted to guerrilla warfare, and then coordinated that type effort with the obvious and growing distaste of the South Vietnamese people for the present South Vietnamese Government, victory in any true sense of the word would be impossible.

For many months I have predicted that, if we continue to spend these some $2½ billion a month to carry on this tragic Vietnam stalemate, not only would there be political and economic repercussions, but also additional military action would develop in other parts of the world.

That prediction has already been proved correct: Examples, the *Pueblo* and the steady Soviet buildup in the Mediterranean area, which the new American Ambassador to the United Nations, George Ball, said only this morning was of far more importance to the United States than Southeast Asia.

Now, however, we note an even more dangerous example, further tightening of the Communist cords around West Berlin.

It becomes "steadily more clear" that some decisive action should be taken with respect to the future of this "Vietnam venture" subsidiary, before that subsidiary undermines the security and well-being of the parent company.

Otherwise, earlier than anyone could have expected, the United States will be forced to accept a real military defeat unless it decides to use nuclear weapons. In case the latter, there could be no winner.

Mr. President, the following is an interesting excerpt from a letter written by one of my more thoughtful constituents, from Kansas City:

No one, but no one, out here cares even a little bit about saving "face" in V-Nam. No amount of face of anyone can justify what is going on. No point in going into detail; it has all been said a million times. *We don't belong there.* The people don't want us, we cannot afford it in lives, money or ruined moral fibre. Complex solutions are getting us nowhere. So make it simple—just get out!

Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "East Germans Tightening Berlin Grip" in the Washington Post with a Bonn dateline, and an article by Chalmers Roberts, "United States Concerned Over Berlin."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 12, 1968]

EAST GERMANS TIGHTENING BERLIN GRIP

(By Dan Morgan)

BONN, June 11.—The East German Communist government announced today that it plans to impose what amounts to almost complete control over all overland movement of people and goods between Berlin and West Germany.

The move was seen by observers here as the most daring yet in a series of actions aimed at firmly establishing the sovereignty of an East German state permanently divided from West Germany and in control of West Berlin's economic lifeline to the West.

West Berlin Mayor Klaus Schuetz, who was recently refused transit to West Germany under an earlier East German edict, said the news meant "a black day for all Germans." He said the move affected the free status of Berlin and added that the situation could no longer be played down.

[American officials in Washington took a serious view of the East German move, and Under Secretary of State for Political Affairs Eugene V. Rostow said in Bonn that it "can't be tolerated."

Among the planned requirements announced by the East Germans are passports and transit visas for West Germans and West Berliners who use the land access routes, new taxes on goods brought into the city by land or water, and a ban on the shipment of right-wing literature to West Berlin.

East German Interior Minister Friedrich Dickel, in announcing the sweeping measures before the Volkskammer (People's Assembly) in East Berlin, said the visas could be applied for at border points.

The visa rules go into effect Wednesday. Instead of simply showing their identity cards, as they have been doing, West Germans will have to present a passport at the border checkpoints and pay 10 DMarks ($2.50) to have a roundtrip transit visa stamped in the passport.

The East German news agency ADN indicated that although visas will be required starting Wednesday, travelers will be given until July 15 to obtain passports, since many West Germans don't have them.

East German Finance Minister Horst Kaminsky announced the new levies on goods and travel, and said the new tax on travel will take effect June 20 and the tax on goods will begin July 1.

The new taxes include a transit charge of 8 pfennig (about 2 cents) per kilometer on buses using the autobahns to and from West Berlin. New charges also will be imposed on dangerous materials—such as gasoline and fuel vital to the city's survival—brought into West Berlin by truck or barge.

East Germany's intention of putting an economic squeeze on the city was apparent despite the Communist government's claim that it would not endanger West Berlin's economic relations with the West.

Western diplomatic sources said the taxes and surcharge levies appeared aimed at putting West German trade with West Berlin on an international basis, instead of its present internal basis.

The visa plan is viewed by authoritative sources as dangerous because the United States has insisted upon unhindered access to West Berlin. Now the East Germans appear to be saying that they have the right to say who may pass.

In 1965, more than 3 million persons, most of them West Germans, used the autobahns to West Berlin.

The extent of the city's dependence on goods from West Germany is shown by the fact that in 1966 some $5.25 billion worth of goods from West Germany were shipped into West Berlin.

Representatives of the U.S., French, and British allied control powers met with West German officials in Bonn shortly after Dickel's announcement was distributed by ADN.

[In Vienna, West German Foreign Minister Willy Brandt said tonight that he plans to shorten his visit to Yugoslavia in the next few days in order to return to Bonn for discussions on the situation created by the East German move.]

East German edicts in the last three months have barred travel to members of the right-wing National Democratic Party and to senior West German officials.

TIED TO NEW LAWS

Dickel told the Volkshammer in his two-and-a-half-hour speech today that the reason for the new measures was the recent passage by the West German Parliament of the controversial emergency laws for dealing with crises.

The laws, which West German leftists opposed as opening the door to a future dictatorship, provoked considerable indignation in Moscow and East Berlin.

Dickel said that it has become "absolutely necessary to hold in check the source of neo-Nazism and revanchism . . ."

He went on:

"In order to protect the peaceful construction of our German Democratic Republic and in order to protect the sovereign rights over our territory, we foresee measures to better regulate and control the traffic through our territory."

"We must see to it that our territory isn't used for aggressive purposes," he said.

RIGHT HELD IMPLICIT

However, he said that travel to and from the city would not be adversely affected, nor would the city's economic relations with the West. This phrase, which has appeared in previous announcements of tightened East German control, is thought by some observers to have been inserted at the insistence of the Soviets.

Although there is nothing in the Four-Power-Agreements on Berlin giving West Germans a specific right to travel to and from the city, the Western Allies insist that it is implicit in the Potsdam Accords.

The three Western powers responsible for Berlin have also insisted that the Soviet Union is responsible in the last analysis for maintaining access, whether or not it chooses to delegate this responsibility to East Germans.

At least two theories were advanced by Western observers here tonight for the East German plans.

The first was that the East Germans, perhaps with Soviet backing, seek to stir up a new Berlin crisis so as to justify stepped-up Warsaw Pact activities that could include a Soviet military presence in Czechoslovakia.

Czechoslovak reformers have been resisting all efforts for such a turn of events, lest it limit their political maneuverability.

East German and Soviet leaders agreed in Moscow two weeks ago that the East Germans had a right to control the access routes to West Berlin. The same communique mentioned the emergency laws and the need for closer Warsaw Pact cooperation—a phrase whose constant repetition has begun to take on unpleasant overtones for Czechoslovakia.

PRAGUE DISAGREES

The leaders in Prague have been downplaying the West German "military threat," and the emergency laws, and have contended that Berlin comes under Four-Power status.

Another theory is that the East Germans and Russians are stepping up pressure on Berlin prior to bargaining with West Germany over such questions as recognition.

But, with the Kremlin leaders widely reported to be divided on almost every major foreign policy issue, observers think it is doubtful that the Soviets are overly anxious for speedy settlement of the German question.

Some observers believe that the East Germans may have simply decided to try to make West Berlin too expensive an endeavor to run, and thus achieve the city's de facto isolation.

[From the Washington Post, June 12, 1968]

UNITED STATES CONCERNED OVER BERLIN

(By Chalmers M. Roberts)

American officials took a serious view yesterday of the new East German rules on travel to Berlin but Secretary of State Dean Rusk enforced an official "no comment" policy.

Nonetheless in Bonn, the West German capital, Under Secretary of State for Political Affairs Eugene V. Rostow told the Associated Press that the travel restrictions are "going to be a serious situation . . . Such a change from the present pattern can't be tolerated."

Rostow was catching a train after completing negotiations on a new U.S.-German agreement on how to pay for the cost of American forces in Germany.

Washington officials indicated that the critical decision on what to do will have to be made by the West German government.

A tripartite (American-British-French) meeting with the Germans on the ambassadorial level will take place in Bonn today, it was said here, to consider what to do. The new restrictions will go into effect today.

The position of the United States and its allies has always been that assuring free access from West Germany across East Germany to Berlin is the responsibility of the Soviet Union. This responsibility grew out of the Nazi surrender and continues because there has been no common peace treaty ending the German phase of World War II.

While the American contention is that this applies to all access, there has been constant argument with the Soviets and no clear document exists to sustain fully the Western position. Generally, it is felt here, the rights of the Americans, British and French to free access are on firmer legal grounds than those of the West Germans.

Yesterday officials here said they were dusting off long-made contingency plans but they refused to divulge their contents. High officials held a series of meetings on the problem during the afternoon.

The new East German move was not expected, as the Communist regime recently sought to curb the right of right-wing West Germans to go to Berlin. Two months ago the three Western powers, in identical letters to the Soviet Ambassador in East Germany, once again put the responsibility for free access on Moscow.

The initial reaction here related the new move to East German fears of liberalization in other parts of Eastern Europe, especially in Czechoslovakia. There appeared to be no connection between the move and the Paris talks on the Vietnam war.

What is involved is land transit by West Germans to Berlin, which accounts for more than 90 percent of all traffic to that city.

The new East German regulations cannot affect West Germans flying to Berlin nor would they affect the travel rights of American, British, French or other nationals. Hence the explosive elements of earlier East-West crises over Berlin are not now evident.

West Germany has a powerful economic weapon, its extensive trade with East Germany, but no one here would predict whether the Bonn Government would make use of that weapon. To do so, some felt, would be to jeopardize the current Bonn policy of improving relations with all of Eastern Europe, including to some degree relations with East Germany.

EAST-WEST TRADE

Mr. YOUNG of Ohio. Mr. President, trade between Eastern and Western Europe is surging ahead by almost 20 percent a year. Witness the following dramatic increases in Western European exports to Eastern Europe from 1961 to 1966: France, $240 million to $387 million; Italy, $216 million to $357 million; England, $295 million to $410 million; West Germany, $473 million to $696 million; Spain, $15 million to $57 million; Switzerland, $66 million to $112 million. During this period U.S. exports to eastern Europe increased from $135 to only $198 million. West European industrialists have established a strong foothold in the fastest growing market in the world for industrial goods—those 350 million people who live under Communist rule from Prague to Vladivostok. West European firms have built or are building approximately 150 factories throughout Eastern Europe and the Soviet Union and more contracts are on the way. Italy's Fiat Co. concluded an $890 million agreement to build a plant in the Soviet Union to produce 730,000 cars a year.

While members of the Common Market have abolished import restrictions on Eastern European products, we still maintain trade barriers which discriminate against American businessmen, farmers, and working men and women. Increased trade has forced many Communist governments to institute sweeping economic reforms in order to make their products more competitive in both price and quality. Increased trade from America with European Communist nations will also provide a powerful political tool to woo them toward peace, complete independence of Russia, and consumer orientation. Trade makes for good neighbors. Good neighbors make for peace.

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

Mr. McCLELLAN. Mr. President, on Thursday, June 6, the House of Representatives by on overwhelming vote of 368 to 17 approved the Omnibus Crime Control and Safe Streets Act of 1968, which had previously, on May 23, passed the Senate by an almost unanimous vote of 72 to 4.

For several days now, this measure has been on the desk of the President of the United States awaiting his signature. He has not yet taken any action on it, and so far as I know, he has not publicly indicated whether he will sign it, veto it, or permit it to become law without his signature. I, therefore, am not informed, and I cannot advise you with reference to his intention. But, time is running out, and we will soon know. He must act before midnight Wednesday, June 19. I can hardly conceive that he will fail to sign it.

In the meantime, however, apparently every conceivable pressure is being brought to bear on the President to have him veto the bill. Some of the extreme liberal press have called for its veto by strong and misleading editorials. And, according to news media, "labor, civil rights, and political groups" called on the President Saturday to veto the measure.

An article in yesterday's Washington Post states:

At a press conference here representatives of the United Auto Workers, the AFL–CIO, Americans for Democratic Action, the American Civil Liberties Union, and other organizations assailed the bill "as unconstitutional in part and unwise in other parts".

Mr. President, I ask unanimous consent to have printed in the RECORD the article entitled "Rights, Other Groups Urge Crime Bill Veto," published in the Washington Post on yesterday, June 16, 1968.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 16, 1968]

RIGHTS, OTHER GROUPS URGE CRIME BILL VETO

Labor, civil rights and political groups called on President Johnson yesterday to veto the omnibus crime control bill.

At a press conference here, representatives of the United Auto Workers, the AFL–CIO, Americans for Democratic Action, the American Civil Liberties Union and other organizations assailed the bill as "unconstitutional in part and unwise in other parts."

Lawrence Speiser, director of the Washington ACLU office, said the conference had been called to demonstrate the wide range of opposition that exists to the crime control bill Congress passed last week.

"We recognize that vetoing the bill in the face of lopsided Congressional majorities will require statesmanship and courage," Speiser said. "We hope the President will exercise these."

ADA leader Joseph L. Rauh Jr. said the veto would be "the surest of getting a real gun control law." He said the crime bill's gun control provisions were effectual, but would "take some of the steam out of the move for a real gun control law."

The crime control bill includes restrictions on the sale of handguns but not on rifles and shotguns. The President sent Congress a much stronger gun control bill last Monday.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLELLAN. Mr. President, this aggressive effort from these sources to have the bill vetoed surprises no one. This effort was to be expected. And, it adds neither new recruits nor additional strength to the opposition—to the forces who oppose the enactment of an effective anticrime bill. All these groups and organizations opposed, lobbied against, and made every effort possible during its legislative consideration to defeat and have removed from the bill titles II and III—vital provisions which they so viciously oppose. Their efforts failed—they were resoundingly defeated.

I, therefore, would most respectfully remind the President of the United States that the Members of the Senate and of the House of Representatives were well aware of this opposition—of the position and activities of the leaders of these groups and organizations—against this measure, when, less than 2 weeks ago, they voted for passage of this bill by a majority of more than 95 percent of those present and voting. Less than 5 percent voted against it.

I would also respectfuly remind the President that this vote in Congress represents the considered judgment and determination of the people's elected representatives. Through them and our democratic processes, the great mass—the irrefutable majority—of American people has spoken.

They want meaningful action taken—not just authorization of another money-spending program. They want corrected and grievous errors of some 5 to 4 Supreme Court decisions which favor the criminal and mete out "unequal" justice to society. They want the Supreme Court to stop overruling long-established equitable and just precedents which result in the releasing upon society of dangerous criminals who have confessed their crime and about whose guilt there is neither issue nor doubt. They want the Supreme Court to construe the Constitution as written and as correctly and wisely interpreted by its predecessors for more than 100 years. They want the Court to stop its unwarranted and illegal attempts to amend the Constitution by edict and decree so as to have it conform to their personal whims and social philosophies of what they think the Constitution should be. They want it construed to mean what it says and that which is intended—no more and no less.

This authority, the power to amend the Constitution, is not vested in the Supreme Court. Article 5 of the Constitution states how the Constitution can be amended—by action of the Congress, by the State legislatures, and by authorized conventions of the people in the several States. The Constitution can be amended only in the manner explicitly prescribed in article 5.

The American people are sick and tired of the Supreme Court—five of its members—flouting the plain provisions of this article and usurping the powers which the Constitution has reposed in the Congress, in the several States, and in the people themselves. They are becoming resentful and indignant about it, and they want this practice stopped.

Mr. President, I most solemnly and reverently express the hope that President Johnson will measure up to this historic opportunity and to the high privilege and duty that is his by signing this bill into law. By doing so, he will join the Congress and the American people in striking a hard blow against crime and lawlessness in this country and against the injustice that certain 5 to 4 Supreme Court decisions have imposed on society.

I am constrained to say, without hesitation or reservation, that the signing of this bill will go a long way toward renewing faith and restoring the confidence of our people in the American system of justice. It will immediately strengthen their hope for safety and for better law enforcement in the future. And, Mr. President, I assert with equal emphasis and conviction that a Presidential veto of this anticrime bill can only bring rejoicing to the hearts of the law violators and give cause for a jubilant celebration in "Crimesville." A veto will dash the hopes and further instill distrust and despair in the hearts of the law-abiding, God-fearing, decent citizens of this country. I pray that this will not happen.

Mr. President, I ask unanimous consent to have printed in the RECORD a Viewers Interest Poll conducted by television station WAVY in Norfolk, Va., from May 20 to May 24, 1968.

There being no objection, the poll was ordered to be printed in the RECORD, as follows:

VIEWER INTEREST POLL OF WAVY–TV, MAY 20 TO MAY 24, QUESTIONS AND VOTING RESULTS

[Results in percent]

Monday, May 20: "Would you favor an all volunteer army to replace the current draft system?"

Yes	61
No	39

Tuesday, May 21: "Do you think recent Supreme Court decisions have increased crime?"

Yes	83
No	17

Wednesday, May 22: "Should courts have the power to control news coverage?"

Yes	37
No	63

Thursday, May 23: "Should college students who protest by disorderly conduct be denied federal loans and scholarships?"

Yes	76
No	24

Friday, May 24: "Do you think the Parent Teachers Association serves any useful function?"

Yes	46
No	54

Mr. McCLELLAN. Mr. President, on May 21, the question asked viewers was:

Do you think recent Supreme Court decisions have increased crime?

The response to this was an overwhelming 83-percent yes vote, while only 17 percent of the respondents answered no.

The PRESIDING OFFICER. The time of the Senator from Arkansas has expired.

Mr. McCLELLAN. Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLELLAN. Mr. President, I also ask unanimous consent to have printed in the RECORD letters from Aaron E. Koota, district attorney, of Kings County, N.Y.; Frank Hogan, district attorney, New York County, N.Y.; and Arlen Specter, district attorney, Philadelphia, Pa.—these letters bring up to date statistics showing the harmful effects the Miranda decision is having on law enforcement; and a telegram from Justice Michael A. Musmanno of the Supreme Court of Pennsylvania recommending legislation to offset recent Supreme Court decisions such as Miranda.

There being no objection, the letters and telegram were ordered to be printed in the RECORD, as follows:

OFFICE OF THE DISTRICT ATTORNEY,
KING'S COUNTY,
Brooklyn, N.Y., May 16, 1968.

WILLIAM A. PAISLEY, Esq.,
Chief Counsel, Committee on the Judiciary, Senate Office Building, Washington, D.C.

DEAR MR. PAISLEY: Thank you for your letter of May 13th and the copy of the printed report on S. 917.

My office has kept records which cover the period from June 13, 1966 to April 30, 1968. In the category of crimes of homicide, robberies, rape and felonious assault, 2385 defendants came to our attention. Of these, 1450 made statements and 935 refused. The percentage of refusals is therefore 39% over this approximate two year period. Prior to *Miranda*, as I have stated previously, the percentage of refusals was approximately 10%.

I reiterate the testimony I gave before the Senate Subcommittee on Criminal Laws and Procedures, that *Miranda* has had a serious and deleterious impact on criminal law enforcement in this county.

Cordially yours,

AARON E. KOOTA.

DISTRICT ATTORNEY OF THE COUNTY OF NEW YORK,
New York, N.Y., May 17, 1968.

Hon. WILLIAM A. PAISLEY,
Chief Counsel, Committee on the Judiciary, Senate Office Building, Washington, D.C.

DEAR MR. PAISLEY: Responding to your letter of May 13, 1968, I can tell you that our experience with admissions used in presenting cases to our grand juries, following Miranda, remains fairly constant. In my testimony before the Senate Subcommittee on Criminal Laws and Procedures on July 12, 1967, I reported that, for the six month period before Miranda, roughly 49% of the non-homicide felony defendants made incriminating statements. I then compared that with the six month period after Miranda where only 15% made admissions. From this I drew the conclusion that in felony cases generally the Miranda rule caused a significant reduction in the number of defendants who gave incriminating statements.

You might be interested in our recent statistics for the past year. From May 1967 through October 1967, another six month period, cases against 2,117 non-homicide defendants were presented to the grand jury. Only 437 admissions could be presented as part of the evidence. This comes out 20.6% as contrasted with the 49% before Miranda. From November 1967 through April 1968 cases against 2,556 defendants were presented with only 522 admissions—20.4%.

You were also interested in our general reaction to S. 917, Title III. I am enclosing a memorandum from our Appeals Bureau which, in paragraph one, reflects our thinking. Paragraph two of the memorandum is a critique of a report by the Federal Legislation and Civil Rights Committee of the Association of the Bar of the City of New York. Since the report was published in the Congressional Record, we thought you might want to know the views expressed therein are not representative of the entire membership of the Association. Indeed, the Association's Committee on the Criminal Courts, Law and Procedure came to entirely different conclusions.

With kindest regards.

Sincerely,

FRANK S. HOGAN.

MEMORANDUM ON EAVESDROP DEVELOPMENTS

To: Mr. Hogan.

From: Appeals Bureau, May 17, 1968.

I. WITH RESPECT TO S. 917, TITLE III

Although in some respects it differs from and may be incompatible with the state measure which recently passed both houses in New York, the federal bill is very good. Insofar as it impinges on state procedure, we find that essential state needs are not violated. The latitude allowed to state investigators is broad enough, and the procedures, adapted to state tribunals, are reasonable and serviceable. In sum, we are well satisfied with the measure.

II. WITH RESPECT TO THE REPORT OF THE FEDERAL LEGISLATION AND CIVIL RIGHTS COMMITTEES OF THE BAR ASSOCIATION OF THE CITY OF NEW YORK

A. The report is contrary to the expressed views of another committee of the same association, The Committee on the Criminal Courts, Law and Procedure. That committee commented approvingly on the state measure introduced to regulate eavesdropping in New York (1968 Legislative Bulletin #1 of that committee). The bill favored by the Criminal Law Committee was drafted by Richard Uviller of this office and sponsored by the Law Revision Commission, a most balanced, knowledgeable, and prestigious agency. Needless to say, the proposed state measure was totally different than the suggestions in the report of the Bar Association Federal Legislation and Civil Rights Committees. To that extent, at least, it is fair to say (and should perhaps be stated in the Congressional Record which now contains the latter report on pages 12164–12174 of May 7, 1968) that the views there expressed do not represent the views of the entire association.

B. From our standpoint, the Federal Legislation and Civil Rights Committee report makes several suggestions which affect state procedure in totally unacceptable fashion. To mention but two of the most horrendous:

1. The report disparages the state judicial system and would deprive state courts of authority to issue wiretap orders. State authorities would be compelled to seek warrants from federal courts wherein exclusive jurisdiction in these matters would reside This proposal, in our view, raises major questions of jurisdiction. We do not believe that federal courts enjoy the power to pass upon the application of a local prosecutor to install a microphone in the investigation of a local crime. Such authority, under the federal scheme of the Constitution, is clearly a matter of police power over which the states—not the United States government—exercise exclusive jurisdiction. In addition, the proposal creates enormous practical problems: Would the state court in which the case is to be prosecuted pass upon the validity of the federal court order? Or would the federal district court hear and determine a motion to suppress evidence to be introduced at a state trial?

2. It is proposed that for state crimes other than murder and kidnapping, the local prosecutor must apply to the Attorney General in Washington for approval of his application for an eavesdrop order. The Attorney General must daily sift through thousands of such applications, award permission on the basis of a national scale of priorities. Further, he must hold his approvals within a quota, suggested to be 100 outstanding orders existent nationwide at any given time. We need not belabor the ludicrous impracticality of such a proposal. We are sure the Attorney General would decline such staggering responsibility, and as for states, the idea is onerous beyond words. We can not voice too strongly our opposition to this hare-brained scheme.

In many other particulars, comparable lack of wisdom in the report's criticisms of pending federal measures is evident. We can only surmise that the draftsmen had little if any experience in the field in which they undertook to speak so boldly. We would urge that the report be rejected without serious consideration, for it deserves none.

DISTRICT ATTORNEY'S OFFICE,
Philadelphia, Pa., May 24, 1968.

Mr. WILLIAM A. PAISLEY,
Chief Counsel, Subcommittee on Criminal Laws and Procedures, Committee on the Juidciary, U.S. Senate, Washington, D.C.

DEAR MR. PAISLEY: Thank you for your letter of May 13, enclosing for me a copy of the printed report on S917.

In testimony which I presented to Senator McClellan's Committee on March 8, 1967, I set forth the results in Philadelphia which disclosed that statements had been reduced significantly as a result of the *Miranda* decision.

I am attaching to this letter an up-to-date statistical summary showing that this trend has continued.

I regret the delay in sending these statistics on to you, but it was necessary to segregate the police statistics in order to be sure that they were a continuation of those which we had originally reported. It took several days to accomplish the updating of these statistics.

I appreciate your continuing concern on this matter.

Sincerely,

ARLEN SPECTER.

RESULTS OF WARNINGS TO DEFENDANTS

Date	Total arrests	Total who refused statement after warning
July 10 to July 16, 1966	127	78
July 17 to July 23, 1966	139	73
July 24 to July 30, 1966	167	90
July 31 to Aug. 6, 1966	158	76
Aug. 7 to Aug. 13, 1966	113	62
Aug. 14 to Aug. 20, 1966	138	99
Aug. 21 to Aug. 27, 1966	158	87
Aug. 28 to Sept. 3, 1966	170	104
Sept. 4 to Sept. 10, 1966	161	99
Sept. 11 to Sept. 17, 1966	176	108
Sept. 18 to Sept. 24, 1966	167	96
Sept. 25 to Oct. 1, 1966	127	77
Oct. 2 to Oct. 8, 1966	164	107
Oct. 9 to Oct. 15, 1966	130	74
Oct. 16 to Oct. 22, 1966	142	67
Oct. 23 to Oct. 29, 1966	136	78
Oct. 30 to Nov. 5, 1966	143	78
Nov. 6 to Nov. 12, 1966	145	82
Nov. 13 to Nov. 19, 1966	156	86
Nov. 20 to Nov. 26, 1966	142	96
Nov. 27 to Dec. 3, 1966	157	100
Dec. 4 to Dec. 10, 1966	151	98

RESULTS OF WARNINGS TO DEFENDANTS—Continued

Date	Total arrests	Total who refused statement after warning
Dec. 11 to Dec. 17, 1966	154	85
Dec. 18 to Dec. 24, 1966	134	73
Dec. 25 to Dec. 31, 1966	107	97
Jan. 1 to Jan. 7, 1967	141	78
Jan. 8 to Jan. 14, 1967	151	96
Jan. 15 to Jan. 21, 1967	156	89
Jan. 22 to Jan. 28, 1967	143	86
Jan. 29 to Feb. 4, 1967	145	92
Feb. 5 to Feb. 11, 1967	134	68
Feb. 12 to Feb. 18, 1967	118	64
Feb. 19 to Feb. 25, 1967	143	101
Feb. 26 to Mar. 4, 1967	163	101
Mar. 5 to Mar. 11, 1967	147	94
Mar. 12 to Mar. 18, 1967	144	84
Mar. 19 to Mar. 25, 1967	157	91
Mar. 26 to Apr. 1, 1967	164	98
Apr. 2 to Apr. 8, 1967	173	103
Apr. 9 to Apr. 15, 1967	166	115
Apr. 16 to Apr. 22, 1967	201	121
Apr. 23 to Apr. 29, 1967	162	80
Apr. 30 to May 6, 1967	157	93
May 7 to May 13, 1967	178	102
May 14 to May 20, 1967	143	69
May 21 to May 27, 1967	171	109
May 28 to June 3, 1967	175	99
June 4 to June 10, 1967	185	136
June 11 to June 17, 1967	184	122
June 18 to June 24, 1967	181	119
June 25 to July 1, 1967	164	97
July 2 to July 8, 1967	201	128
July 9 to July 15, 1967	187	114
July 16 to July 22, 1967	173	98
July 23 to July 29, 1967	172	103
July 30 to Aug. 5, 1967	166	103
Aug. 6 to Aug. 12, 1967	175	123
Aug. 13 to Aug. 19, 1967	192	124
Aug. 20 to Aug. 26, 1967	170	112
Aug. 27 to Sept. 2, 1967	170	103
Sept. 3 to Sept. 9, 1967	176	103
Sept. 10 to Sept. 16, 1967	177	105
Sept. 17 to Sept. 23, 1967	198	128
Sept. 24 to Sept. 30, 1967	220	133
Oct. 1 to Oct. 7, 1967	197	120
Oct. 8 to Oct. 14, 1967	216	145
Oct. 15 to Oct. 21, 1967	228	132
Oct. 22 to Oct. 28, 1967	225	109
Oct. 29 to Nov. 4, 1967	219	137
Nov. 5 to Nov. 11, 1967	228	136
Nov. 12 to Nov. 18, 1967	197	150
Nov. 19, to Nov. 25, 1967	194	139
Nov. 26 to Dec. 2, 1967	176	121
Dec. 3 to Dec. 9, 1967	244	163
Dec. 10 to Dec. 16, 1967	191	115
Dec. 17 to Dec. 23, 1967	246	155
Dec. 24 to Dec. 30, 1967	182	107
Dec. 31, to Jan 6, 1968	187	121
Jan. 7 to Jan. 13, 1968	181	103
Jan. 14 to Jan. 20, 1968	201	112
Jan. 21 to Jan. 27, 1968	201	122
Jan. 28 to Feb. 3, 1968	207	111
Feb. 4 to Feb. 10, 1968	236	147
Feb. 11 to Feb. 17, 1968	198	133
Feb. 18 to Feb. 24, 1968	205	125
Feb. 25 to Mar. 2, 1968	215	143
Mar. 3 to Mar 9, 1968	246	156
Mar. 10 to Mar. 16, 1968	190	105
Mar. 17 to Mar. 23, 1968	253	158
Mar. 24 to Mar. 30, 1968	222	133
Mar. 31 to Apr. 6, 1968	309	199
Apr. 7 to Apr 13, 1968	267	154
Apr. 14 to Apr 20, 1968	217	127
Apr. 21 to Apr. 27, 1968	245	146
Apr. 28 to May 4, 1968	280	168
May 5 to May 11, 1968	246	183
Total	17,234	10,529

Note: 61 percent refused to give statement.

RESULTS OF WARNINGS TO JUVENILE DEFENDANTS

Date	Total arrests	Total who refused statement after warning
Aug. 13 to Aug. 19, 1967	242	39
Aug. 20 to Aug. 26, 1967	240	41
Aug. 27 to Sept. 2, 1967	562	55
Sept. 3 to Sept. 9, 1967	271	15
Sept. 10 to Sept. 16, 1967	229	14
Sept. 17 to Sept. 23, 1967	244	19
Sept. 24 to Sept. 30, 1967	217	14
Oct. 1 to Oct. 7, 1967	212	17
Oct. 8 to Oct. 14, 1967	251	28
Oct. 15 to Oct. 21, 1967	285	35
Oct. 22 to Oct. 28, 1967	301	47
Oct. 29 to Nov. 4, 1967	283	40
Nov. 5 to Nov. 11, 1967	250	37
Nov. 12 to Nov. 18, 1967	312	39
Nov. 19 to Nov. 25, 1967	295	8

RESULTS OF WARNINGS TO JUVENILE DEFENDANTS—Continued

Date	Total arrests	Total who refused statement after warning
Nov. 26 to Dec. 2, 1967	273	31
Dec. 3 to Dec. 9, 1967	301	43
Dec. 10 to Dec. 16, 1967	332	55
Dec. 17 to Dec. 23, 1967	434	78
Dec. 24 to Dec. 30, 1967	405	98
Dec. 31 to Jan. 6, 1968	330	40
Jan. 7 to Jan. 13, 1968	281	26
Jan. 14 to Jan. 20, 1968	288	36
Jan. 21 to Jan. 27, 1968	281	29
Jan. 28 to Feb. 3, 1968	269	24
Feb. 4 to Feb. 10, 1968	300	34
Feb. 11 to Feb. 17, 1968	289	39
Feb. 18 to Feb. 24, 1968	282	39
Feb. 25 to Mar. 2, 1968	265	46
Mar. 3 to Mar. 9, 1968	317	69
Mar. 10 to Mar. 16, 1968	301	53
Mar. 17 to Mar. 23, 1968	322	64
Mar. 24 to Mar. 30, 1968	325	71
Mar. 31 to Apr. 6, 1968	341	62
Apr. 7 to Apr. 13, 1968	381	68
Apr. 14 to Apr. 20, 1968	317	53
Apr. 21 to Apr. 27, 1968	348	61
Apr. 28 to May 4, 1968	375	75
May 5 to May 11, 1968	363	87
Total	11,914	1,769

SUPREME COURT OF PENNSYLVANIA,
June 4, 1968.

Senator JOHN J. MCCLELLAN,
U.S. Senate Office Building,
Washington, D.C.:

On your gracious invitation it was my privilege to testify before your committee on anti-crime legislation now pending before Congress. I respectfully recommend that the legislation be amended to offset the decision of the Supreme Court on murder cases. This pronouncement of the Supreme Court was not a legal decision but a legislative mandate which is not within the constitutional power of the court to render. If I were in Congress or a State legislature I would vote against capital punishment. But so long as that type of verdict remains within the law of the land, courts may not arbitrarily put it aside. The abolition of capital punishment is strictly a legislative matter and the decision of the majority members of the Supreme Court shows their determination to cross the Capitol Grounds and take up seats in Congress. I believe the time has come for Congress to resist this invasion. Unless the Supreme Court exercises judicial restraint, Congress has the constitutional duty to prevent the court from entering into fields where it has no right to be. This court has rendered many decisions which are in effect judicial legislation, as, for instance the Miranda decision which lays down rules which are strictly within the province of the Executive and Legislative Departments continuing decisions of the court striking down the rights of the States and the people to be secure in their homes and on the streets can only encourage disrespect for law and order. The appalling increase of crime in America argues for strict upholding of laws intended to protect the people, and not a constant battering down of walls of security. Recent decisions of the Supreme Court demonstrate practically conclusively that most of the members thereof have set themselves up as a supersenate and are making law, which is bad enough, but they are rendering decisions which are overturning convictions of obviously guilty persons on flimsy technicalities and generally weakening law enforcement. If your committee should reconvene, I stand ready, if invited, to appear and speak on this renewed attack of the Supreme Court on the pillars of Constitutional Government.

Respectfully,
MICHAEL A. MUSMANNO,
Justice.

Mr. McCLELLAN. Mr. President, I also ask unanimous consent to have printed in the RECORD an article entitled "The Prison Population Puzzle," published in the Washington Daily News on May 31, 1968, which points out that while the U.S. crime rate has soared to 88 percent since 1960, the total number of persons in Federal and State prisons has dropped. While the crime rate increases, the prison population drops. There is the gap between law enforcement and law and order and a crime-ridden country such as we have today.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHERE IS EVERYBODY?: THE PRISON POPULATION PUZZLE

(By Thomas Talburt)

Altho the FBI says the U.S. crime rate has soared 88 per cent since 1960, the total number of persons in state and Federal prisons has dropped.

Federal Bureau of Prisons figures show that between 1960 and 1966, the number of inmates in state prisons increased by only 376 (to a total of 190,000) while the number of Federal prisoners declined by 2934 to 21,040.

A U.S. prison official says the number of inmates in Federal prisons hit a peak of 24,925 in 1961. Although the last official figures are for 1966, he estimated the decline continued thru 1967. He said the figure might rise slightly this year because of an increase in violations of the Selective Service Act.

SAME NUMBER

Federal prisons today can accommodate the same number of prisoners they could handle adequately 10 years ago—about 20,000. Officials estimate there has been a similar lack of growth in state prisons.

Why hasn't prison population grown with the crime rate? Officials cite these reasons:

Three of every four crimes reported to police never are solved. FBI Director J. Edgar Hoover says the percentage of crimes "cleared" by arrests in 1966—24.3 per cent—was 8 per cent below the clearance figure for 1965.

This 8 per cent dropoff equalled the 8 per cent decline in crimes solved shown for the entire period of 1961 thru 1965. The FBI's preliminary report for 1967 shows a further decrease in percentage of crimes solved.

Based on Federal Court figures, the rate of convictions for felony suspects who reach trial, has remained the same at about 85 per cent—but not everyone who is convicted, goes to prison.

Between 1960 and 1966, Federal judges granted probation to 37 per cent of the criminals convicted in their courts. Tho available statistics show no marked increase in the percentage of probations granted in each of these years, officials predict the findings for 1967–1968 will reflect a distinct trend toward releasing more convicts on probation.

Paroles from Federal prisons have increased. * * * Authorities say there is no question state parole boards have shown a corresponding increase in leniency.

AVERAGE STAY

They note, for example, that the average stay in prison today is 21 months, compared with 32 months only three years ago. This may reflect both an increase in paroles and softer sentencing by judges. (The figures do not include persons sentenced to life in prison. They serve an average of 20 years.)

Another important factor, not told by the statistics, is that many cases are dropped after a defendant is charged but before his case comes to trial—for lack of evidence, or possibly more importantly, because of Supreme Court rulings which have emphasized individual rights and restricted police procedures.

Federal officials also point out that many judges tend to deal less harshly with youthful offenders, often preferring to order some form of rehabilitation rather than a prison term.

Mr. Hoover recently told a Congressional committee that youths under 18 accounted for one-fifth of all police arrests in 1966.

The FBI chief also renewed his sharp criticism of judges and parole officials who release repeat offenders "just to get rid of them."

Declaring that a hard-core group of repeaters is "contributing heavily" to the rising tide of crime, Mr. Hoover cited FBI statistics which showed that of 41,733 offenders arrested in 1966, more than half had received leniency in the form of parole, probation, suspended sentences or some other form of conditional release.

Another train of thought, which the FBI dismisses as nonsense, is that the Bureau's figures depicting a steep increase in crime actually show instead increased efficiency in gathering statistics from police agencies across the nation.

But even some who doubt the absolute validity of the FBI reports agree there has been a clear-cut rise in crime.

The mounting cry by many criminologists and sociologists that criminals should be treated rather than caged—coupled with the trend of court rulings—largely explains the dwindling prison population, most authorities believe.

And they emphasize that the cost of maintaining existing prisons and building new ones places pressure on many states to keep their prisoner population within strict bounds.

Mr. McCLELLAN. Mr. President, I also ask unanimous consent to have printed in the RECORD, a letter appearing in the Palo Alto Times, February 24, 1968, under the heading "Did Freeing Two Desperadoes Serve Justice?"; an article entitled "Politicians, High Court Blamed for U.S. Mess" appearing in the Miami Herald, May 23, 1968; an article entitled "Serious Crimes Up 27 Percent Here in April—Robberies Double," appearing in the New York Times, May 28, 1968; an article entitled "Can High Court Be Curbed?" appearing in the Miami Herald, May 23, 1968; an article "Judicial Travesty," published in the Washington Evening Star of June 11, 1968; and an article entitled "Trials and Public Safety," published in the Washington Daily News of June 12, 1968.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Palo Alto (Calif.) Times, Feb. 24, 1968]

DID FREEING TWO DESPERADOES SERVE JUSTICE?

EDITOR OF THE TIMES:

The Feb. 9 Times carried a report of an assault with a deadly weapon, theft, conspiracy, possession of narcotics and an arrest. Yet a week later the people who perpetrated this crime were free and again on the streets of Palo Alto.

The Times headline read, "Youth beaten by two men rifling auto." Briefly, the 20-year-old victim found two men trying to steal the radio from his car. He gave chase. He caught them. He held one while the other attacked and beat him with a tire iron.

About 20 minutes later both were arrested by the Palo Alto Police Department on University near Bayshore. In their possession was found an eight-lid supply of marijuana valued at $2,000, and the speaker for the radio from the car.

The victim identified the property and the person he had earlier caught. Thereafter, he was transported to the Palo Alto Hospital where he incurred medical expenses while

his cuts were sutured, x-rays taken and medication prescribed.

On Thursday, Feb. 15, the two persons arrested appeared in Municipal Court in Palo Alto and were charged with assault with a deadly weapon and possession of marijuana. Both were released.

Though there was no question that marijuana was in their possession, the police officer making the arrest failed to advise the prisoners formally that they were arrested. Therefore, the officer was guilty of illegal search and seizure.

The victim was able to identify only the person he caught and held, and because of this the charge of assault was dismissed.

There was no question that a crime had been committed. Judge Scoyen acted in accordance with the law and had no choice other than to release these two hoodlums. Defense counsel (a public defender paid for by the taxpayers of the County or Santa Clara) had properly pointed out the technical imperfections of the charge.

Wherein, then, lies justice? Where is justice for the victim who suffered damage to his property, injuries to his person, and must pay the hospital costs for medical care?

Where is the justice for the taxpayer who must pay the cost of the trial proceedings and the providing of an expensive counsel for two who are demonstrably guilty?

Where is the justice for the police who must suffer yet another frustrating exercise in the enforcement of the law only to see offenders freed by legal loophole?

Perhaps in the final analysis the solution for the problem of crime in the street will be the armed private citizen who, from his own home, will defend himself. In this particular case the interest of justice would have been better served with two rounds of 00 buckshot rather than two hours of trial trickery.

A. L. CALDWELL.

PALO ALTO.

[From the Miami (Fla.) Herald, May 23, 1968]

CALDWELL TELLS DINNER: POLITICIANS, HIGH COURT BLAMED FOR U.S. MESS

(By Mike Toner)

Millard Caldwell, chief justice of the Florida Supreme Court, Wednesday night blamed political indifference, the U.S. Supreme Court, and other national bodies for "the precarious position in which America finds itself."

He told the Dade Grand Jury Association that growing indifference has permitted "the liberal majority in Congress, the Supreme Court, and the White House," to discard the "basic principles of free government."

The Grand Jury Association presented two awards Wednesday night at its 21st annual dinner:

The Outstanding Citizenship Award was given to Sheriff E. Wilson Purdy for an "outstanding job" during his service here.

Outstanding High School Essay on Florida's Grand Jury System Award went to Robert Oaks of Miami Palmetto High School.

More than 250 persons attended the dinner meeting at the Grand Ballroom of the Sheraton Four Ambassadors.

Caldwell, 71, repeatedly compared the troubles of the U.S. with previous world civilizations which collapsed from internal division and strife.

And the former governor frequently laid the blame for social and political problems on the U.S. Supreme Court:

"The criminals are happy with the Supreme Court's Mallory and Miranda decisions because they have gained great advantage over law enforcement and society.

"The Communists are happy with Supreme Court decisions which insure their right to join the professions of law and education.

"The mothers of millions of illegitimate children appreciate the generous contributions by the Congress and are delighted with the pleasure and profit of repeat performances.

"The minority is pleased with the prospect of being trained and paid by the federal government to riot and demonstrate and of being preferred by the courts as a class apart."

Caldwell said the U.S. Supreme Court exercised virtually unlimited power in "cynical judicial disregard for the restraints imposed by the U.S. Constitution."

[From the New York Times, May 29, 1968]

SERIOUS CRIMES UP 27 PERCENT HERE IN APRIL—ROBBERIES DOUBLE

The number of serious crimes reported to the police during April was 27.7 per cent higher than during the same month in 1967, the New York Police Department reported yesterday.

The largest increase was in the number of reported robberies. They jumped from 2,503 in April of 1967 to 4,201 last month, up 58.9 per cent.

The second largest increase in the seven major crimes used by the Federal Bureau of Investigation for its crime index was reported auto thefts. They increased 56.1 percent, from 3,703 to 5,782.

Murder and larceny $50 and over increased at about the same rate. A total of 55 murders were reported in April of 1967 and 70 during last April, up 27.3 per cent. Reported larcenies of $50 and more increased 26.1 per cent, from 8,914 to 11,242.

Reported burglaries showed the next highest increase, from 11,313 to 13,555—a 19.8 per cent increase.

Citizen reports of two crimes declined. Forcible rapes dropped from 156 to 128, a decline of 18 per cent. And reported assaults declined 2.4 per cent, from 2,414 in April of 1967 to 2,357 last month.

Because a large but unknown proportion of many kinds of crime are not reported to the police, it is not known how accurately the police statistics reflect what is actually occurring on the streets and subways and in the homes and parks of New York.

[From the Miami (Fla.) Herald, May 23, 1968]

CONGRESS HAS POWER: CAN HIGH COURT BE CURBED?

(By David Lawrence)

WASHINGTON.—The United States Senate has been considering a bill which would remove some of the technicalities in law-enforcement procedures that have permitted murders and other criminals to escape punishment. Senator John L. McClellan of Arkansas, one of the veteran members of the Senate Judiciary Committee, has issued a memorandum explaning the proposal that would permit a trial judge to decide whether a confession has been made voluntarily. It would leave it to the jury to determine how much weight shall be given to a confession.

This attempt to correct Supreme Court decisions has been denounced by other senators as an assault on the independence of the judiciary and on the Constitution itself.

But many of the critics either have not read the Constitution or have forgotten what it says about the power of Congress to limit the jurisdiction of the Supreme Court. Article III of the constitution reads as follows:

"In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make."

Congress has rarely utilized this power, but the crime crisis in America has focused attention on the part the courts have unwittingly played in giving freedom to criminals. Senator McClellan, in his latest memorandum, criticizes particularly three Supreme Court rulings—two of which were rendered by a five-to-four decision—and declares:

"These decisions have set free many dangerous criminals and are daily preventing the conviction of others who are guilty. How can the freeing of known, admitted, and confessed murderers, robbers, and rapists by the courts, not on the basis of innocence, but rather on the pretext of some alleged, minor, or dubious technicality be justified? . . .

"Gangsters, racketeers, and habitual criminals are increasingly defying the law and flaunting duly constituted authority and getting away with it. As a consequence, public confidence in the ability of the courts to administer justice is being destroyed. Until the courts, and particularly the United States Supreme Court, become cognizant of this damaging trend and begin to administer justice with greater emphasis on truth and a deeper concern for the protection of the public, the crime rate will continue its upward spiral and the quality of justice will further deteriorate."

The most momentous opinion by the Supreme Court was handed down on June 13, 1966, in what is known as the "Miranda" decision. In that case, by a five-to-four ruling, the court said that no confession, even if wholly voluntary in the traditional sense, could be admitted in evidence over the objection of a defendant in a state or federal proceeding unless the prosecution could show that certain warnings were given in advance. The prosecution also was required to prove that the suspect had voluntarily and "intelligently" waived his rights. In many instances, it was not possible to furnish such proof. This is why many senators are in agreement with Justice John M. Harlan, who, in a dissenting opinion, said:

"We do know that some crimes cannot be solved without confessions, that ample expert testimony attests to their importance in crime control, and that the court is taking a real risk with society's welfare in imposing its new regime on the country. The social costs of crime are too great to call the new rules anything but a hazardous experimentation."

Thus many members of the Senate are reflecting the views expressed by the minority of the Supreme Court itself. Senator McClellan says:

"The Constitution has not changed. A misinterpretation of it by five judges has sought to change it."

When such a division of opinion appears, it is natural for Congress to raise the question of how the jurisdiction of the Supreme Court should be defined to cover a certain type of case. The purpose, of course, is to have the judge and jury decide the ultimate guilt or innocence in criminal cases, rather than to have flat rules made in advance that would paralyze the prosecuting process.

[From the Washington (D.C.) Evening Star, June 11, 1968]

JUDICIAL TRAVESTY

The Supreme Court has just come forward with a powerful argument in support of the proposition that President Johnson should sign the newly enacted crime bill.

In a ruling which displays an amazing disregard for the right of the public—if there is any such right—to be protected against criminals, a majority of the justices have voted to overturn the *third* murder conviction of a Washington man, Eddie M. Harrison.

Harrison's first conviction was reversed by the Court of Appeals because his lawyer was not in fact a member of the bar. The second conviction was reversed by the Court of Appeals on the ground that a confession used as evidence was obtained in violation of the Mallory Rule—the requirement that a suspect be arraigned without unnecessary delay. At the second trial, however, Harrison, while properly represented by counsel,

took the stand and gave an explanation of the killing which implicated him. He was found guilty by the jury.

At the third trial the confession, of course, was not used. But Harrison's own testimony at the second trial was read to the jury, and he again was convicted. The Court of Appeals affirmed. But the Supreme Court, without ascertaining whether, in fact, the Mallory Rule had been violated, reversed.

This brought outraged protests from the three dissenters. Justice Black thought the majority's reasoning was wholly illogical and completely unreasonable. We agreed with Justice White that "holdings like this" make it far more difficult to protect society "against those who have made it impossible to live today in safety."

Justice Harlan said "there is no suggestion that the testimony in question, given on the stand with the advice of counsel, was somehow unreliable."

Justice White said this decision "has emanated from the court's fuzzy ideology which is difficult to relate to any provision of the Constitution and which excludes from the trial evidence of the highest relevance and probity." He went on to say that "criminal trials will simply become less effective in protecting society," and he pointed out that by the time of the third trial "prosecution witnesses were dead or unavailable." This will be even more true of a fourth trial—if there is one. There may not be a fourth trial, however. For the prosecution, discouraged by its encounters with judge-made roadblocks, may decide simply to release Harrison—a chilling prospect for this community.

What does all of this have to do with the new crime bill? Simply this: That legislation modifies the Mallory Rule to permit questioning of a criminal suspect for a period of up to six hours. It also undertakes to modify other Supreme Court decisions, to permit wiretrapping and electronic eavesdropping in certain types of cases, restricts the sale of hand guns, and authorizes major financial assistance to police departments.

If the President's repeated calls for a war on crime mean anything, he will sign this bill.

[From the Washington (D.C.) Daily News, June 12, 1968]

TRIALS AND PUBLIC SAFETY

In some recent decisions, the Supreme Court of the United States seems to have given the side of law enforcement a measure of help—as against the string of decisions which released convicted criminals on delicate technicalities. This week's decision, for instance, which restored to police a limited freedom to "stop and frisk" suspicious persons.

But the court is still being sticky about confessions, and a decision the other day went so far in throwing out a murder conviction that Justice White, in a bitter dissent, predicted this result:

"Criminal trials will simply become less effective in protecting society against those who have made it impossible to live today in safety."

Justice Black specifically joined in that ominous forecast, and Justice Harlan joined in the dissent.

The case in point had to do with a shotgun killing in the District of Columbia. After he was convicted in 1960, the accused man was freed by an appellate court on the ground he was represented by an ex-convict posing as a lawyer. He was convicted again in 1963, but again a higher court upset the conviction because it said two confessions introduced as evidence were tainted.

The confessions were not presented in the third trial—which also led to conviction—but the defendant's testimony in the second trial was read to the jury. Now the Supreme Court says that testimony was inadmissible because it may have been induced by the confessions.

Even by the time of the third trial in 1966, some of the witnesses were dead or unavailable. If a fourth trial is held, the problem of getting at the truth will be compounded.

It is cases like this which discourage law enforcement—cases in which, despite evidence "of the highest relevance and probity," as Justice White said, convictions are reversed for relatively minor technical reasons.

It makes it possible, no matter the gravity of the crime, no matter the clarity of the evidence, for a convicted criminal to escape punishment simply by having a persistent lawyer who can find a misplaced comma in the prosecution.

The question of guilt beyond doubt is no longer the main issue; the ultimate verdict depends on the niceties of procedure.

The anti-crime bill passed by Congress last week attempts to clear up some of this fuzziness. When is President Johnson going to sign the bill?

LET THERE BE NO MORE VIETNAMS

Mr. YOUNG of Ohio. Mr. President, there are more than 3 million Vietnamese in miserable refugee camps throughout South Vietnam. They have been bombed out of their homes or driven out of their villages. Their homes and shrines of their ancestors were destroyed and their fields defoliated by our Armed Forces.

When I was in Vietnam earlier this year I beheld what is meant by defoliation. Miles and many square miles of what had been beautiful green forestland with humble homes of peasants were and are being defoliated as our forces have burned, destroyed, and poisoned the crops and foliage. The land itself has been poisoned, and may remain sterile for many years to come. Men, women and children have been forcibly removed from their homes and most of them taken, against their will, to refugee camps, so-called. Some of our refugee camps which I visited, with thousands of old men, women, and children herded together, may not be as terrible as this gutted, seared, destroyed land bereft of bushes and trees, but all except one refugee camp I saw were in exceedingly deplorable condition.

A few of those camps, I am sorry to say, were so terrible that they caused me to think about what we denounced in World War II when we talked about Dachau and other of Hitler's concentration camps in Germany.

Also, more than an additional million Vietnamese peasants have fled in terror from their hamlets and are existing in dire poverty in Saigon and other cities. These Vietnamese, mostly children, women, and old men, are suffering from malnutrition. Some have died from starvation. It is no wonder that refugee camps and villages throughout South Vietnam have been greatly infiltrated by members of the National Liberation Front, the political arm of the Vietcong.

Unfortunately, U.S. policy in South Vietnam is not to enforce the provisions of U.S. Public Law 480. This law requires that we ourselves deliver all aid material to the designated recipients. Contrary to this law, our AID officials deliver rice, cement, money, not to the refugees—not to the designated recipients—but they deliver everything to South Vietnamese officials. As a result, little, if any, of the assistance meant for impoverished Vietnamese peasants reaches them. Instead, it ends up in the black market in Saigon and other cities, and the proceeds from the sale of this material eventually is deposited in Hong Kong banks or in numbered accounts in Swiss banks belonging to South Vietnamese officials.

This unfortunate policy should be discarded immediately to end the estimated 60 percent of the billions of dollars worth of U.S. aid material now going into black markets or directly to the Vietcong. In the United States, youngsters 19 to 26 subject to the draft who are below standard physically for combat service should be enrolled in anticorruption squads, trained and sent to Vietnam to have full charge of receiving and distributing economic aid for the millions of refugees. If we do this then the corrupt generals of the South Vietnamese friendly forces, so-called, and many officials of the Saigon military regime would no longer have fat personal accounts in Swiss and Hong Kong banks. More important, the ill feeling against Americans would gradually be dissipated.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent to have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, it is time that we cease our defoliation operations, napalm bombing, and cluster bomb operations, which have resulted in mass evictions causing refugee camps in South Vietnam to overflow. The only answer we Americans can give is immediately to deescalate our military operations in South Vietnam, halt the bombing of North Vietnam, and gradually disengage from this miserable civil war in a little agrarian country 10,000 miles distant from our shores definitely of no strategic or economic importance to the defense of the United States—never was and never will be.

Again, I suggest and urgently recommend to our President that he immediately order the bombing of North Vietnam to be stopped with no conditions attached to said order.

This would be another step toward the peace and an end to the bloodshed and carnage in Vietnam.

The United States is not at war with North Vietnam. There has been no such declaration of war ever suggested. Secretary of State Rusk, with all his shrewdness, Machiavellian attitude, and imagination, would be hard put to help write a message to the Congress giving any valid reason for a declaration of war against North Vietnam.

Instead of bombing North Vietnam, destroying that backward little country which is the potential barrier against Chinese aggression to the south, the President should direct our Armed Forces to limit all bombing and military operations to South Vietnam until an armistice and cease-fire has been worked out. Furthermore, this would end the destruction of our valuable airplanes and the killing of the priceless lives of our pilots for the reason that missiles from Sams and the antiaircraft fire would be practically nonexistent. There would be no Mig 21's firing air-to-air missiles such

as our airmen encounter constantly in air runs over North Vietnam.

Then, at about the time details for an armistice or cease-fire are reaching completion, our Ambassador to the United Nations should suggest that under the auspices of the United Nations arrangements be made for a referendum throughout all of South Vietnam, and the questions to be answered on this referendum to be somewhat as follows: "Do you favor reunification with what is now North Vietnam? Do you desire that South Vietnam remain a state independent of North Vietnam?" If the majority of the South Vietnamese vote in the affirmative on this latter question, an added question could be submitted: "If it is your wish that South Vietnam remain independent of North Vietnam, do you wish that the United States withdraw our Armed Forces entirely from South Vietnam or do you wish the assistance of the United States to help build South Vietnam into a neutral independent nation?"

The time has come to abandon our bankrupt policy in South Vietnam. The only answer is for the administration to make a determined effort to seek peace, to extricate the Nation from the Vietnam quagmire, and to allow the South Vietnamese people to voice their true hopes and aspirations.

Mr. President, Americans have been deeply saddened over the violent rampant in this country and the recent assassinations of Dr. Martin Luther King, Jr., and U.S. Senator Robert Kennedy. Undoubtedly, this is part of the price all Americans have been paying and must pay for the murder, violence, body counts and other terrifying views shown and information issued on that undeclared war we have been waging in Vietnam throughout the Johnson administration.

Most Americans know we are violently engaging in an immoral, undeclared, unpopular foreign war without act of Congress, despite the provision in our Constitution "The Congress shall have power to declare war"; and without authority from the United Nations. Has the violence which we have perpetrated in Vietnam, body count, defoliation, the napalm bombing, turning over to the friendly forces, so-called VC prisoners of war who have surrendered to our GI's and then witnessing the killing of these unarmed prisoners of war, and the indiscriminate bombing, shelling, and destruction of villages and city blocks contributed to the opening of the floodgates of violence among our citizens? Let there be no more Vietnams.

CRIME AND GUN CONTROL LAW

Mr. WILLIAMS of Delaware. Mr. President, when the anticrime bill was considered by the Senate I voted for those amendments which would have given us a stronger gun control law.

I voted for the Kennedy-Tydings amendment which prohibited mail-order sales of rifles and shotguns to aliens and juveniles or to anyone who has a criminal record.

I voted for the Brooke amendment which prohibited the sale to individuals of bazookas, machineguns, and other implements of mass destruction.

I voted for the amendment which provided for registration of rifles and shotguns as well as registration for smaller arms.

Likewise, I voted against the Hruska amendment which was offered as a substitute for the gun control provisions of the committee bill. I supported a strong gun control law then and will do so again.

It should be emphasized that there is nothing in the gun control law which I have supported or in any which have been proposed which would prohibit the law-abiding citizen from purchasing and owning rifles and shotguns for sporting purposes. I would strongly oppose such a step, but as one who considers hunting his favorite sport I see no objection to the registration of a shotgun or rifle, and in my opinion Congress should enact such legislation.

However, just as I denounced the propaganda which the NRA circulated in opposition to a strong gun bill as being an exaggerated misrepresentation of what the bill actually did, I am today warning the American public not to fall for the equally exaggerated propaganda which is being broadcast by some of the proponents of the administration's new gun bill.

I issue this warning as one who supported a strong gun bill before and as one who intends to support it again, but I cannot remain silent and let the administration's proposed gun bill be sold to the American public as a cure-all for the serious crimewave sweeping our country.

Contrary to what many claim, a Federal gun-control law would not have prevented the recent tragedy at Los Angeles which cost the life of one of our colleagues. California already had as strong a gun-control law as the one recently requested by the Senate or the one now being proposed by the administration, yet it did not prevent the crime.

The man who assassinated Senator Kennedy violated several provisions of the California law:

First. He had in his possession an unregistered gun and one which had been stolen.

Second. He violated the California law which prohibits an alien from having in his possession a deadly weapon.

Third. He was carrying a concealed deadly weapon without a permit.

California's strong gun-control law did not prevent the murder.

I cite this example not as an argument against a bill restricting the sale of firearms—as I stated before, I have supported and will continue to support such legislation—but merely in an effort to illustrate that while the enactment of a gun registration act may help, it will not by itself solve our crime problem.

Far too often when a new crisis develops, rather than admit and seek to correct the causes, as a diversionary tactic it is proposed that we enact a series of new laws. They then attempt to excuse what happened on the premise that it was the result of inadequate laws.

What we need in this country as much if not more than any new law is more rigid enforcement of our existing laws plus stiffer penalties imposed on the criminal by the courts.

When our Justice Department sits back while demagogues publicly threaten to riot unless their demands are met something is wrong in America. When our police are given orders to turn their heads while mobs loot and burn our cities, something is wrong with our public officials.

When our courts give suspended sentences to men convicted of looting and arson on the flimsy excuse that it was their first offense, something is wrong with our courts. Are we to assume that each man is entitled to one spree of looting and arson before being punished?

When drivers operating the night buses in our Nation's Capital are being robbed and killed, with the result that demands are made for police protection on each bus, it is time we pause. Think of it, having to put an armed guard to ride shotgun on the buses in our Nation's Capital.

Recently two marines were killed and two of their companions wounded in a hamburger stand here in Washington by three who claimed to be a part of the so-called Poor Peoples March. These holdups, murders, and mysterious fires are becoming daily occurrences.

Registering or locking up all the guns in America while turning the criminal loose will not solve the crime problem.

For far too long we have condoned law violations under the label of civil disobedience. This principle that any man has the right to determine which law he will or will not violate is just one step away from anarchy. We are a government of laws; and if our laws are wrong let us change them in the democratic process, but in the meantime they must be obeyed.

I respect the principal that the accused should be presumed innocent until convicted and that every man is entitled to counsel and a fair trial. But in protecting the rights of the accused are we not forgetting the rights of the victims of their crimes?

The property and personal rights of the individual are a sacred part of the American heritage, and any man who violates those rights should be punished.

Every American citizen has a right to feel safe and secure in his home.

Our wives and daughters have a right to walk the streets of our cities in safety.

What has happened to law enforcement in America?

Why do we not give our police more support?

Why do we hear so much about police brutality and so little about the criminal's brutality when a police officer or fireman is killed or wounded in the performance of his duty?

What about the brutality of the arsonists who start a fire in an apartment house, thus endangering the lives of the innocent or the sniper who threatens the life of the unarmed fireman risking his life to protect our property?

How do these policemen and firemen feel when they read that the convicted arsonist or looter has been turned loose with a mild lecture and a suspended sentence?

Yes, I voted for and will continue to support a gun control law. In my opinion its enactment will help cut down on

the crime rate, and even if it saves but one life it will be worth it. But this law alone will not be a cure for the lawlessness we see developing in this country.

As we consider this new legislation let us not lose sight of the fact that the basic weakness in America today is not the lack of adequate laws but the lack of proper enforcement of existing laws.

America today needs a moral reawakening—a reestablishing of a greater respect for those values of integrity and responsibility.

This has become an age of permissiveness. It begins with the lack of discipline in the home and in the schools. Far too often our ministers, who should be counseling their membership on moral and spiritual matters, become too involved in questions of political policy.

There has been too much coddling of the criminal and not enough concern for the victims of their crimes.

Too many people are trying to excuse lawlessness on the basis of poverty or denied rights, yet an analysis of the arrests in the recent riots shows that a large percentage of those arrested for looting and arson had full-time jobs at respectable salaries. For many of those arrested it was their first offense, and the argument ofttimes advanced by their defenders was "Well everybody was looting and the police were doing nothing, so why not?"

Congress has already passed a good anticrime bill with an improved gun control section, and this bill now awaits the President's signature.

I appeal to the President to sign this anticrime bill promptly.

While not requiring registration of long guns and rifles, that bill does restrict the sale of all small arms. In addition to the section dealing with gun control, that bill contains many other sections of major importance needed to help our police control crime on the streets of America.

Once that bill has been signed Congress can more intelligently proceed to enact a more comprehensive gun law which will extend control to the sale and registration of shotguns and rifles.

As stated before, I have supported and will continue to support a gun control law, but what we really need in America today is first, an Attorney General who will enforce the laws that are already on our statute books; second, judges who will impose stronger sentences on the convicted criminal and stop turning him loose on society with a mere lecture or a suspended sentence; third, a more responsible press, one that will give more prominence to the good deeds of man, rather than operating as scandal sheets with headlines to statements by some irresponsible demagog; and, fourth, men in public office who will forget political considerations long enough to remember that the crime problem in America is an American problem and its solution is not to be found on a partisan basis.

We have a great country and one of the best forms of government of any nation in the world, but this can remain a great country only so long as the people can have confidence in the integrity of the public officials and confidence in their ability to maintain law and order.

THE LATE ROBERT FRANCIS KENNEDY

Mr. KUCHEL. Mr. President, this is the first opportunity I have had to stand here in the Senate to lament the terrible passing of Robert F. Kennedy, late a Senator from the State of New York.

Robert F. Kennedy was a man of drive and of determination. In his short lifespan, he seemed almost constantly to be on the move. He crowded enormous action into few—too few—years.

He was my friend. I well remember when he first said so. It was just after he had been sworn in as U.S. Senator. He had defeated the Republican incumbent, Kenneth Keating—who happens to be with us today—whom I had supported and campaigned for, and with whom I had served here. Bob Kennedy and I shook hands, as I welcomed him to the Senate. He said to me: "I'm glad to be here with you. You were a friend of my brother. That makes you a friend of the whole Kennedy family."

Like my fellow American citizens, I shed tears of sorrow for the enormous sacrifice this remarkable family has given to our Nation. And, like most Americans, too, my heart is full of shame and pain at an America where wanton murder—lawlessness, violence of any kind—may suddenly erupt in any segment of our society, to do incalculable damage to our entire society, as they suddenly bring shock and grief to the family of the victim.

The tragedy of his death was not simply because of the high place in Government that he had held, nor in the enormous number of people he then represented in New York State, nor in the potential of candidacy of his political party for the most important post in the world. The tragedy lies in the stark and painful fact that a man of high purpose was robbed of his life, of his happiness and of his chance to fulfill constructively that purpose in some form on some future day. The tragedy is deepened because the mortal wound was inflicted at a moment of triumph for Robert Kennedy. It is deepened also for me because it happened in my State of California in Los Angeles. I mourn his death and grieve his loss.

I would not be one to affix a mass blame for the killing of one man by another. But there is some measure of natural reaction beyond the grief we feel. Assassination has become too much a part of our public life in the 1960's not to provoke outrage. The outrage can be channeled into fitting action, I believe, if one considers that all of the horrible deeds which have been unfolding, as well as most of the homicides in this Nation, are gun crimes. I add my voice, once again, to those who say that meaningful gun control laws, demanded by the public for decades of opinion polling, should be enacted immediately.

Must not this be a time of dedication to the cause of a Nation united? The evil tendencies toward polarizing America into separate camps, which official reports and unofficial observers fear or prophesy, is to me one of the most terrifying portents of this century. I believe it was equally frightening to Robert Kennedy. One of the most urgent tasks of men both in Government and out of Government is to keep the fabric of our society whole. It is a dedication, a commitment, which surely represents the best kind of memorial for a man who kept a sense of purpose to the day he lost his life.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

SUPPLEMENTAL BUDGET REQUEST FOR FISCAL YEAR 1968 (S. DOC. NO. 84)

A communication from the President of the United States, transmitting a supplemental budget request of $14.6 million for fiscal year 1968 (with an accompanying paper); to the Committee on the Appropriations, and ordered to be printed.

CORRECTION OF INEQUITY AFFECTING OFFICERS OF THE SUPPLY CORPS AND CIVIL ENGINEER CORPS OF THE NAVY

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 10, United States Code, to correct an inequity affecting officers of the Supply Corps and Civil Engineer Corps of the Navy (with accompanying papers); to the Committee on Armed Services.

PAYMENT OF FAMILY SEPARATION ALLOWANCE

A letter from the Acting General Counsel, Department of Defense, transmitting a draft of proposed legislation to amend section 427(b) of title 37, United States Code, to provide payment of a family separation allowance, even though the member does not maintain a residence or household for his primary dependents (wife and children) subject to his management and control (with an accompanying paper); to the Committee on Armed Services.

PURCHASES AND CONTRACTS MADE BY COAST GUARD UNDER CLAUSE 11 OF SECTION 2304(A) OF TITLE 10, UNITED STATES CODE

A letter from the Secretary of Transportation, transmitting, pursuant to law, a list of purchases and contracts made by the U.S. Coast Guard under clause 11 of section 2304(a), title 10, since November 1, 1967 (with an accompanying paper); to the Committee on Commerce.

ANNUAL REPORT OF THE SECRETARY OF THE TREASURY ON THE STATE OF FINANCES

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on the finances of the Federal Government for the fiscal year 1967 (with an accompanying report); to the Committee on Finance.

PROPOSED AMENDMENT OF NATIONAL FIREARMS ACT

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the National Firearms Act (with an accompanying paper); to the Committee on Finance.

PROPOSED SPLIT-TOUR ARRANGEMENT FOR MEDICAL OFFICERS AND NURSES IN THE POSTAL FIELD SERVICE

A letter from the Postmaster General, transmitting a draft of proposed legislation to exempt medical officers and nurses in the Postal Field Service from the provisions of sections 3571 (a) and (c) of title 39, United States Code (with an accompanying paper); to the Committee on Post Office and Civil Service.

PROPOSED LEGISLATION TO PERMIT POSTAL EMPLOYEES TO ACCEPT CHECKS OR MONEY ORDERS

A letter from the Postmaster General, transmitting a draft of proposed legislation to amend title 39, United States Code, to permit employees of the Post Office Department to accept checks or money orders, to

provide penalties for the presentment of bad checks to the Post Office Department, and for other purposes (with an accompanying paper); to the Committee on Post Office and Civil Service.

PROPOSED LEGISLATION PROVIDING THAT THE QUALIFICATION OF MUNICIPALITIES FOR CITY DELIVERY SERVICE BE EXPRESSED IN TERMS OF REVENUE UNITS

A letter from the Postmaster General, transmitting a draft of proposed legislation to provide that the qualification of municipalities for city delivery service be expressed in terms of revenue units, rather than cash receipts, and for other purposes (with an accompanying paper); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

A concurrent resolution of the General Assembly of the State of South Carolina; to the Committee on the Judiciary:

"S. 958

"A concurrent resolution to memorialize the Congress of the United States to propose an amendment to the Constitution which would authorize citizens to exercise freedom of choice in the selection of the public schools which they wish to attend

"Whereas, a recent decision of the United States Supreme Court has taken away the right of citizens to select the public school which they may attend; and

"Whereas, this ruling contravenes the basic and traditional ideas of freedom which have successfully guided our Nation throughout its history; and

"Whereas, people of good faith of all races require a reasonable principle to guide them in their search for an orderly and equitable resolution of the difficult problems involved in the desegregation of our schools. Now, therefore,

"Be it resolved by the Senate, the House of Representatives concurring:

"That the Congress of the United States be and is hereby memorialized to propose an amendment to the Constitution of the United States which will authorize citizens to exercise freedom of choice in the selection of the public schools they wish to attend and insure thereby an orderly and equitable approach to the difficult problems involved in the desegregation of our schools.

"Be it further resolved that copies of this resolution be forwarded to each member of the South Carolina Congressional Delegation, the Speaker of the United States House of Representatives and the President of the Senate.

"Sent to House *By Order of the Senate.*

"L. O. THOMAS,
"Clerk.

"Concurred in as amended and returned to Senate *By Order of the House.*

"INEZ WATSON,
"Clerk.

"Concurrence of House received as information.

"L. O. THOMAS,
"Clerk."

A concurrent resolution of the Legislature of the State of Louisiana; to the Committee on Public Works:

"HOUSE CONCURRENT RESOLUTION 26

"A concurrent resolution to petition the United States Congress and all Federal agencies responsible to pardon and otherwise forgive all remaining balances due on Federal Government sponsored loans of ten thousand dollars or less initiated to assist victims of Hurricane Betsy and Hurricane Audrey

"Whereas, the state of Louisiana and its citizens were made to suffer unmeasured property damage, grief through loss of loved ones and economic calamity from Hurricane Betsy in the recent past and from Hurricane Audrey only a few years prior thereto; and

"Whereas, the United States Congress thereafter came to the aid of many victims of this destructive force of nature by enacting legislation affording assistance in the form of loans through Federal agencies; and

"Whereas, the assistance so provided enabled many grateful citizens to recover a portion of their losses, but there nevertheless continues serious economic obstacles to development in the state caused by Hurricane Betsy and also from Hurricane Audrey; and

"Whereas, to absolve and pardon all remaining balances due upon all Federal Government sponsored loans of ten thousand dollars or less initiated to assist victims of Hurricane Betsy and Hurricane Audrey would be of incalculable benefit to the affected citizens in their valiant efforts toward recovery from losses sustained.

"Therefore, be it resolved by the House of Representatives of the Louisiana Legislature, the Senate thereof concurring, that the Congress of the United States be petitioned, by copy of this Resolution, for the pardon of all amounts remaining due and owing on said loans of ten thousand dollars or less, and

"Be It Further Resolved that a copy of this Concurrent Resolution be transmitted without delay to the President of the United States, to the Administrator of the Small Business Administration and to each member of the Louisiana Delegation in the United States Congress.

"Attest:

"JOHN S. GARRETT,
"Speaker of the House of Representatives.
"———,
"Lieutenant Governor and President of the Senate."

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, informed the Senate that pursuant to the provisions of House Resolution 1187, 90th Congress, the Speaker had appointed as delegates to attend the International Labor Organization Conference in Geneva, Switzerland, between June 5, 1968, and June 27, 1968, the following members of the Committee on Education and Labor: Mr. THOMPSON of New Jersey and Mr. AYRES; and that the following members of the Committee on Education and Labor had been appointed as alternates to attend said conference: Mr. O'HARA of Michigan and Mr. ASHBROOK.

The message also informed the Senate that pursuant to the provisions of section 402(a) Public Law 90–321, the Speaker appoints as members of the National Commission on Consumer Finance, the following Members on the part of the House: Mr. PATMAN, Mrs. SULLIVAN, and Mrs. DWYER.

The message announced that the House had passed the bill (S. 2914) to authorize the further amendment of the Peace Corps Act, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 16363) to clarify and otherwise amend the Poultry Products Inspection Act, to provide for cooperation with appropriate State agencies with respect to State poultry products inspection programs, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution:

H.R. 15462. An act for the relief of Lennart Gordon Langhorne; and

H.J. Res. 1268. Joint resolution making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes.

HOUSE BILL REFERRED

The bill (H.R. 16363) to clarify and otherwise amend the Poultry Products Inspection Act, to provide for cooperation with appropriate State agencies with respect to State poultry products inspection programs, and for other purposes, was read twice by its title and referred to the Committee on Agriculture and Forestry.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency, with an amendment:

S.J. Res. 160. Joint resolution to amend the Securities Exchange Act of 1934 to authorize an investigation of the effect on the securities markets of the operation of institutional investors (Rept. No. 1237).

By Mr. BURDICK, from the Committee on the Judiciary, without amendment:

S. 839. A bill for the relief of the village of Orleans, Vt. (Rept. No. 1238);

S. 1164. A bill for the relief of Rollo Oskey (Rept. No. 1239);

S. 2026. A bill for the relief of Yvonne Davis (Rept. No. 1240);

S. 2036. A bill for the relief of Mrs. Aili Kallio (Rept. No. 1241);

H.R. 1655. An act for the relief of Clara B. Hyssong (Rept. No. 1242);

H.R. 2270. An act for the relief of Capt. David Campbell (Rept No. 1243);

H.R. 2455. An act for the relief of Dean P. Bartlet (Rept. No. 1244);

H.R. 2688. An act for the relief of the estate of Charles C. Beaury (Rept. No. 1245);

H.R. 4820. An act for the relief of Sylvan H. Miller (Rept. No. 1246);

H.R. 4961. An act for the relief of Donald E. Crichton (Rept. No. 1247);

H.R. 5199. An act for the relief of James E. Denman (Rept. No. 1248);

H.R. 5854. An act for the relief of Mrs. E. Juanita Collinson (Rept. No. 1249);

H.R. 6305. An act for the relief of Claud Ferguson (Rept. No. 1250);

H.R. 6890. An act for the relief of Lester W. Hein and Sadie Hein (Rept. No. 1251);

H.R. 8088. An act for the relief of Willard Herndon Rusk (Rept. No. 1252);

H.R. 9568. An act for the relief of Lucien A. Murzyn (Rept. No. 1253);

H.R. 10050. An act for the relief of Capt. Russell T. Randall (Rept. No. 1254);

H.R. 10058. An act for the relief of Mrs. Esther D. Borda (Rept. No. 1255);

H.R. 10199. An act for the relief of Lloyd W. Corbisier (Rept. No. 1256);

H.R. 10655. An act for the relief of Arthur Anderson (Rept. No. 1257);

H.R. 11166. An act for the relief of Earl S. Haldeman, Jr. (Rept. No. 1258); and

H.R. 12073. An act for the relief of John Allunario (Rept. No. 1259).

By Mr. BURDICK, from the Committee on the Judiciary, with an amendment:

S. 1274. A bill for the relief of Donald C. Goewey (Rept. No. 1260).

By Mr. BURDICK, from the Committee on the Judiciary, with amendments:

S. 986. A bill for the relief of Edward L. Pickren (Rept. No. 1261); and

S. 2860. A bill for the relief of Maj. Clyde Nichols (retired) (Rept. No. 1262).

REPORT ENTITLED "CANADA-UNITED STATES INTERPARLIAMENTARY GROUP" (S. DOC. NO. 83)

Mr. AIKEN. Mr. President, I submit the report of the Senate delegation to the 11th meeting of the Canada-United States Interparliamentary Group, of which I was Chairman, held in Washington, D.C., in March. The report is under 50 pages, and I ask unanimous consent that it be printed as a Senate document.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROUTY (for himself and Mr. SCOTT):

S. 3649. A bill to provide private enterprise with incentives to employ and train unemployed and low income unskilled persons residing in both urban and rural areas, and to provide community employment and training by Federal and local governments as the employer of last resort; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. PROUTY when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE:

S. 3650. A bill for the relief of Elias P. Demetracopoulos; to the Committee on the Judiciary.

By Mr. BREWSTER:

S. 3651. A bill for the relief of Eufemia C. Balandray;

S. 3652. A bill for the relief of Lam Mun Kwai, Au Yeung Kwai Wing, Enoch Shih also known as Isaac Shih, and Yim Ho Shing; and

S. 3653. A bill for the relief of Ruggero Curzi, his wife, Maria Curzi, and their three children, Oscar Curzi, Fabio Curzi, and Loredana Curzi; to the Committee on the Judiciary.

By Mr. MANSFIELD (for himself and Mr. AIKEN):

S.J. Res. 178. Joint resolution proposing an amendment to the Constitution of the United States relating to the term of office of President and Vice President of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. MANSFIELD when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. MANSFIELD (for himself, Mr. AIKEN, Mr. PEARSON, Mr. PROXMIRE, Mr. BYRD of West Virginia, and Mr. TYDINGS):

S.J. Res. 179. Joint resolution proposing an amendment to the Constitution of the United States relating to the nomination and election of the President and Vice President of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. MANSFIELD when he introduced the above joint resolution, which appear under a separate heading.)

ADDITIONAL COSPONSORS OF BILLS

Mr. TYDINGS. Mr. President, I ask unanimous consent that, at its next printing, the names of the distinguished Senator from Maine [Mr. MUSKIE], the Senator from Pennsylvania [Mr. CLARK], the Senator from Hawaii [Mr. FONG], and the Senator from Washington [Mr. MAGNUSON], be added as cosponsors of the bill (S. 3634) to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition; and to encourage responsible State firearms laws, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. Mr. President, I should like to take occasion to thank the distinguished majority leader for adding his name as a cosponsor of this important proposed legislation. I think the response of the leaders in the Senate to the problem, at least as a partial solution, is gratifying. I hope that perhaps more of my colleagues will have an opportunity, in the days ahead, to study the proposed legislation and render their assistance.

Mr. PEARSON. Mr. President, I ask unanimous consent that at the next printing of S. 3640 introduced by myself and Mr. RIBICOFF to establish a Commission To Study the Organization, Operation, and Management of the Executive Branch of Government, and to recommend changes necessary or desirable in the interest of governmental efficiency and economy, the names of the Senator from Texas [Mr. TOWER] and the Senator from Hawaii [Mr. FONG] be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE CONCURRENT RESOLUTION 76—NINTH INTERNATIONAL CONGRESS ON HIGH-SPEED PHOTOGRAPHY

Mr. MAGNUSON. Mr. President, I submit, for appropriate reference, a concurrent resolution, which the Senate has passed on several occasions in other Congresses, dealing with the forthcoming Ninth International Congress on High-Speed Photography which will be held in Denver, Colo., in August 1970. The congress is sponsored by the Society of Motion Picture and Television Engineers.

This congress has been preceded by similar meetings in Washington in 1952, Paris in 1954, London in 1956, Cologne in 1958, Washington in 1960, The Hague in 1962, Zurich in 1965, and Stockholm in 1968. Previous congresses abroad have been endorsed and assisted by the government of the country in which they were held and, in the United States in 1960, under Senate Concurrent Resolution 75 of the 86th Congress.

I ask unanimous consent that the Senate concurrent resolution which I am submitting today and a statement be printed in the RECORD to explain the purpose of this congress, and the importance of high-speed photography in this age of automation and space travel.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred, and, without objection, the concurrent resolution and statement will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 76) was referred to the Committee on Commerce, as follows:

S. CON. RES. 76

Whereas high speed photographic techniques can magnify the time scale of scientific phenomena revealing parameters for research, engineering and testing that are extremely important to every nation; and

Whereas the First and Fifth International Congress on High Speed Photography were held in the U.S.A., as organized and conducted by the Society of Motion Picture and Television Engineers; and

Whereas the Fifth International Congress on High Speed Photography in 1960 was supported by the Federal Government, as expressed in the S. Con. Res. 75 in 1959; and

Whereas other meetings were held in Paris, London, Cologne, The Hague, Zurich, and Stockholm, and in each instance these meetings have received the recognition and the support of the governments of the respective host countries; and

Whereas with each meeting the International Congress on High Speed Photography has grown in prestige and stature, and attracts more countries in a continuing growth pattern; and

Whereas the importance of high speed photography is reflected in nearly all of the physical sciences, including medical, biological, space and many other fields; and

Whereas the SMPTE is once again sponsoring the International Congress on High Speed Photography in Denver, Colorado, in August, 1970, and is desirous of representing the U.S.A. as the host country in the best possible light; and

Whereas the Congress is fully appreciative of the importance of assuring this international scientific meeting is conducted in a manner which will bring credit and enhanced prestige to the U.S.A.; and

Whereas it is the belief of the Congress that—

(1) the democratic environment of the free world is the best environment for the achievement in science; and

(2) scientists and engineers have special advantages and opportunities to assist in achieving international understanding since the laws and concepts of science cross all national and ideological boundaries; and

(3) high speed photography is a universal tool in science, important to nearly all sciences internationally, and the International Congress on High Speed Photography is an excellent means of disseminating the advances in technology; and

Whereas the Congress is interested in (1) promoting international understanding and good will; (2) enhancing the excellence of American science, both basic and applied; and (3) furthering international cooperation in science and technology by creating the necessary climate for effective interchange of ideas: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that all interested agencies of the Federal Government should participate actively to the greatest practicable extent in the Ninth International Congress on High Speed Photography to be held in Denver, Colorado, in August 1970, under the sponsorship of the Society of Motion Picture and Television Engineers.

The statement, presented by Mr. MAGNUSON, is as follows:

IMPORTANCE OF HIGH-SPEED PHOTOGRAPHY

Section 1. High speed photography continuously increases in complexity, as well as importance in our world, since each year its application to science goes forward at an accelerated pace. As a tool in science, high speed photography is constantly alerted to the needs in the study of the whole universe in its infinite space or infinitesimal objectivity. Fundamental data in many fields or research throughout the world require observa-

tions and measurements that would be impossible without the unilateral growth in high speed photographic techniques.

HISTORY OF THE INTERNATIONAL CONGRESS ON HIGH-SPEED PHOTOGRAPHY

Section 2. Realizing the importance of high speed photography in the ever widening periphery of science on an international basis, the First International Congress on High Speed Photography was organized and conducted under the sponsorship of the Society of Motion Picture and Television Engineers, in Washington, D.C., in 1952. Subsequent meetings were held at 2- and 3-year intervals in Paris (1954), London (1956), Cologne (1958), Washington, D.C. (1960), The Hague (1962), Zurich (1965), and Stockholm (1968). In each instance, these meetings have received the recognition and the support of the Government of the respective host countries. With each meeting, the International Congress on High Speed Photography has grown in stature, prestige, and is ever influencing additional countries who are now realizing the significance of these meetings. In 1952 only 4 countries were represented at the meeting, whereas more than 20 were in attendance at the latest meeting.

The Society of Motion Picture and Television Engineers is once again sponsoring the International Congress on High Speed Photography to be held in Denver, Colorado, August 1970, for the 9th Congress in the series. The SMPTE is fully appreciative of the importance of assuring that this international scientific meeting is conducted in a manner which will bring credit and enhance prestige to the U.S.A. as the host nation.

PURPOSE OF THIS RESOLUTION

Section 3. The Congress, sincere in the belief that:

(1) The democratic environment of the free world is the best environment for achievement in science,

(2) Scientists and engineers have special advantages and opportunities to assist in achieving international understanding since the laws and concepts of science cross all national and ideological boundaries; and being interested in:

(a) promoting international understanding and good will;

(b) enhancing the excellence of American science, both basic and applied;

(c) furthering international cooperation in science and technology by creating the necessary climate for effective interchange of ideas; does hereby endorse the Ninth International Congress on High Speed Photography to be held in Denver, Colorado, in August 1970, under the sponsorship of the Society of Motion Picture and Television Engineers, and urges that all interested agencies of the Federal Government actively participate to the fullest extent possible.

Peacetime Uses of High-Speed Photography

High Speed Photography is applied to nearly every field of the physical sciences permitting the analysis of events otherwise impossible to see or, in many cases, to comprehend or predict. Investigations by High Speed Photographic methods for study of basic phenomenon in the laboratories leads to measurements in many other fields so that specialized techniques and equipments for one area of science soon become the working tool for other areas. Introduction of new optical systems such as fiber optics, new light sources such as lasers, new mechanical friction free systems such as magnetic suspension rotary units, new high speed photographic color emulsions, new electronic concepts and other innovations have all been utilized in helping to advance the technology of High Speed Photography in almost every conceivable physical science.

The medical field is rapidly advancing in the use of high speed photography in blood, retinal, heart and brain studies; internal deformities, and diseases; bodily defects, cleft pallet, oral malformations, calcification, and cellular or tissue conditions in the medical research.

In the fields of research in biology and botany, high speed photography has been instrumental in gaining information about single cell sea animals for nuclear studies; in oceanography, previous guesswork is rapidly becoming replaced by precise knowledge in underwater research; precise motion in minute particles can now be studied; increasingly effectiveness in measurement in atomic physics, including photographs of photons; and in space science meters and artificial meters are photographed for study of metal disintegration at all possible speeds, and the age old secrets of the universe are now coming into sharper focus through more sophisticated camera and computer combinations in contemporary research.

Our everyday lives, as well as the latest advancements in science, are highly influenced by the accurate visual and precise data gathering possibilities of high speed photography. The automobile we drive with highly efficient combustion systems and with the latest innovations in passenger safety devices; the jet aircraft of today in its aerodynamic stability, efficient motor burning characteristics, and vibration free bodies; alloys of metal used in cooking utensils and cutlery with fracture reducing stainless steels; tin can, paper and fabric manufacture and testing; and, many other items in which time-motion or breakage tests have become constantly increased in effectiveness by utilizing high speed photography in its various categories.

High speed photography has not only been a tool for fault finding in mechanical motion, but has been a most valuable tool in the field of research in explosive phenomena, dynamic characteristics of electricity and light, the chemistry of condensation and vaporization in volatile liquids, and the study of outer space. It seems since we are continuously finding new fields in which proven techniques have become applicable that every field of the physical sciences in research, engineering and testing now has something to gain through the application of high speed photography.

In a simplified terminology, high speed photography can be broken down into these major categories: high speed cinematography, often referred to as "time magnification"; short duration pulsed light sources of plasma arcs and lasers with controlled timing possibilities down to one nanosecond duration (the time that light travels a distance of about one foot); image dissection and image converter systems and cameras; sequence framing cameras that will take several pictures at the rate of several million per second; continuous writing streak or smear cameras that will give a signature characteristic of scientific parameters frequently for self-luminous objects; and, a multitude of systems utilizing combinations of these different types with equipment designed specifically for research in the various fields of the physical sciences.

The problems of scientific investigation become the areas of advancement in high speed photography when the nature imposed limitations on man for observation in time and space prevent reaching into the unknown. The sharpening of our scientific senses by the technology of high speed photography has deepened our knowledge of the world and enabled us to see what is actually happening. Man's technical know-how has increased more rapidly in the last few years than ever before. It is of paramount importance that the research worker keep in touch with their professional colleagues internationally. This scientific grapevine utilizes a cross-fertilization for the different sciences with high speed photography as a tool for delving into the unknown.

SENATE RESOLUTION 305—RESOLUTION TO PRINT AS A SENATE DOCUMENT "PROGRESS IN THE PREVENTION AND CONTROL OF AIR POLLUTION"

Mr. RANDOLPH submitted the following resolution (S. Res. 305); which was referred to the Committee on Rules and Administration:

S. RES. 305

Resolved, That there be printed as a Senate document the first report of the Secretary of Health, Education, and Welfare, entitled "Progress in the Prevention and Control of Air Pollution", in accordance with Section 306, Public Law 90–148, the Air Quality Act of 1967, together with illustrations; and that there be printed two thousand five hundred additional copies of such document for the use of the Committee on Public Works.

ADDITIONAL COSPONSOR OF AMENDMENT NO. 849

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the name of the Senator from Wisconsin [Mr. NELSON] be added as a cosponsor of amendment No. 849 to S. 3097, a bill extending the Defense Production Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION OF CERTAIN CONSTRUCTION AT MILITARY INSTALLATIONS—AMENDMENT

AMENDMENT NO. 851

Mr. YOUNG of Ohio submitted an amendment, intended to be proposed by him, to the bill (H.R. 16703) to authorize certain construction at military installations, and for other purposes, which was ordered to lie on the table and to be printed.

NOTICE OF HEARINGS ON BILLS RELATING TO ADDITION OF NEW AREAS TO NATIONAL WILDERNESS PRESERVATION SYSTEM

Mr. JACKSON. Mr. President, as chairman of the Senate Committee on Interior and Insular Affairs, I would like to announce that open public hearings on four bills to add several new areas to the National Wilderness Preservation System will be conducted starting at 10 a.m., Thursday, June 20.

The hearings will be held in room 3110 of the New Senate Office Building by the Senate Subcommittee on Public Lands, of which Senator FRANK CHURCH is chairman.

The bills to be considered are—

S. 3379, to designate the Great Swamp Wilderness Area in Morris County, N.J.;

S. 3343, to designate the Pelican Island Wilderness Area in Indian River County, Fla.;

S. 3425, to designate the Monomoy Wilderness Area in Barnstable County, Mass.; and

S. 3502, to designate as wilderness certain lands in the Seney, Huron Island and Michigan Islands National Wildlife Refuges in Michigan, the Gravel Island and Green Bay National Wildlife Refuges in Wisconsin, and the Moosehorn National Wildlife Refuge in Maine.

Individuals or organizations interested in presenting direct testimony should call or write the Committee on Interior and Insular Affairs, room 3106, New Senate Office Building, Washington, D.C. Statements submitted for the record should also be addressed to the committee.

ANNOUNCEMENT OF HEARINGS BY SUBCOMMITTEE ON AGRICULTURAL RESEARCH AND GENERAL LEGISLATION

Mr. JORDAN of North Carolina. Mr. President, I wish to announce that hearings on poultry inspection have been scheduled for July 1 and 2 by the Subcommittee on Agricultural Research and General Legislation. The subject bills are S. 2846, S. 2932, H.R. 16363, and title I of S. 3383. The hearings will be held in room 324 Old Senate Office Building beginning at 10 a.m. Anyone wishing to testify should contact the committee clerk as soon as possible.

NOTICE OF HEARING ON TAX COURT BILL (S. 2041)

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce a hearing for the consideration of the relationship between S. 2041 and a recent Department of Justice study of the desirability of revising the procedure for litigating tax disputes. S. 2041 is a bill which would remove the Tax Court from the executive branch of the Government and make it an article III court.

The hearing will be held at 9:30 a.m., on Wednesday, June 26, 1968, in the District of Columbia hearing room, 6226 New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the record should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building, Washington, D.C.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary be permitted to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may be permitted to proceed for approximately 10 minutes, during which time there will be a colloquy between the distinguished senior Senator from Vermont and myself.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

ELECTORAL REFORM

Mr. MANSFIELD. Mr. President, on Tuesday of last week, I offered to the Senate some comments concerning what I feel are the inadequacies, the inequities, in our electoral system. The proposals I then made were neither new, nor original with me. But the response received—from the press and public sources and from interested citizens across the land—has reinforced my own personal belief that the time has come to investigate seriously some of our basic electoral procedures. I do not propose the ultimate solutions but I do believe that a fresh and far-reaching study of the electoral system touching at least the areas where I have attempted to precipitate discussion is at the least necessary and long overdue.

Eliminating the electoral college and allowing the people to elect their President directly; extending the franchise of the ballot to young adults 18 and older; and replacing our circus-like party conventions would be a considerable improvement that I believe would withstand the test of any objective study.

Today I shall introduce recommendations for constitutional reform along these lines and joining me, I am happy to say, are the distinguished Senator from Kansas [Mr. PEARSON] and senior Senator from Vermont [Mr. AIKEN], whose status as the ranking Republican in this body and whose long years of political experience and public service add a great deal to this dialog. We hope that these proposals, along with those previously introduced by many of our colleagues will provide the necessary vehicles to conduct the investigation long overdue.

First of all, we ask that the Senate review the nominating process and offer a plan to replace the present happenstance primary and convention system with a measure calling for a single national primary.

The presidential primaries under our present happenstance system find the great confrontation of candidates in areas that often represent less than a valid cross section of the American people. The candidates, although competing for the delegate votes which they may not receive even if victorious, are attempting to demonstrate to the country their broad appeal to the people. What better method is there to demonstrate broad appeal than to permit all voters to demonstrate their preference? Under our present system, we seem to be blindly seeking a choice of a nominee enmeshed in a maze of conflicting State law and dubious custom and practice that preclude a rational popular choice at this most critical point in our election process.

The net result is that a great deal of money is spent to achieve an apparent victory in a few primary States; the effect may be fatal for the underfinanced, understaffed candidate and the American voter is left bewildered and confused, uninitiated to the political ploy and counterploy and ready, justifiably, to make the charge: "political manipulation." I hope that any study along these lines will also renew the effort to achieve a realistic proposal for the financing of presidential primaries and elections. With a national primary I feel much could be accomplished to avoid what so many people have characterized as the "circus" atmosphere that surrounds this frantic delegate hunt and the extravaganza of a convention. A national primary could replace the convention completely. However, a national convention would have greater direction if it were held after a national primary especially if the delegates thereto were disciplined by the results of the primary from their State.

The plan offered by Senator AIKEN, Senator PEARSON, and myself also calls for the abolition of the electoral college. The case has been made and there is little to add. I would only say that it is a measure of our political confusion today that we still face the prospect of having a President who does not represent the people or even the election results of the States from which the electors were sent. Plainly and simply, this is the fallacy of the electoral college. Abolition of the electoral college would eliminate the bloc State voting. The changing world has had its effects upon the structure of the Presidency. The fact is that the interest of the constituency rests directly in the office of President as the representative of the electorate's views rather than the views of a region. To continue the electoral college is to deny the cohesiveness of the 50 States as a national unit—to ignore the evolution of our Nation technologically and idealogically.

The States are represented by two Senators, the cities and the districts by their elected Congressmen. The people should be represented by the President, and he should be elected by popular vote.

The proposal I am introducing along with the Senator from Vermont [Mr. AIKEN] and the Senator from Kansas [Mr. PEARSON] would allow just that. It is not a new proposal. Over the years many such measures have been introduced and a number are pending this Congress. The Senator from Indiana [Mr. BAYH] and the Senator from Maine [Mrs. SMITH] have advocated such a procedure for sometime, as have the Senators from Florida [Mr. SMATHERS] and North Dakota [Mr. BURDICK]. They and others have advocated reforms in our electoral college system, even its abolition. I wish to join these Senators in stimulating further study of these matters in hopes of revealing the shortcomings, the inequities, and the inadequacies of the electoral college.

In my remarks last Tuesday I also mentioned extending the franchise of the ballot to young adults, 18 years and over. The arguments have been set forth more fully for this proposal than for any of the others; the right to vote simply would be given to those who are compelled to fight our wars but have no voice in selecting the officials who make the policies that lead to war; to those who are treated as adults by our civil and criminal courts and are made to suffer the full penalties of the law yet have no opportunity to choose the officials who make the laws. I think it is about time we faced this issue squarely.

Senate Joint Resolution 8 would provide the necessary constitutional change. That resolution is now pending before the Constitutional Amendments Subcommittee—the Bayh subcommittee. Hearings have been held, and I would hope

that the measure could be reported out by the subcommittee and by the full committee so that the Senate could consider such a change before the 90th Congress closes this year.

I mentioned further in my remarks last Tuesday the suggestion that the Office of the Presidency be limited to one 6-year term. This is not a new proposal. I do believe that any investigation of the electoral system must include the term of the Presidency while considering the methods of his election. One cannot separate the effects of partisanship after the election when considering the issue of partisanship before the election. Any study should include the demands of partisan politics and the burdens of seeking renomination. The single 6-year term is the case in Mexico. It has worked well and it should be considered. The distinguished Senator from Vermont [Mr. AIKEN] and I are offering a resolution that provides for such a constitutional change so that this aspect may rightly be included in the investigation.

With the introduction of these various proposals to supplement those that have already been introduced, the investigation can begin. It can encompass all the aspects of Presidential politics. The study is long overdue.

The tragic events of the past days have shocked and saddened us beyond expression. Robert Kennedy was a man of great energy and great capacity for seeking new ideas and new approaches to very old problems. Our shock and sadness could be no better channeled than to express it as he would—in a constructive search for solutions.

I proposed last Tuesday that a restriction should be considered on the open exposure of our presidential candidates. I appreciate the desire of the candidates to meet the people directly and of the people to be in the presence of these candidates. But the tragedies of the past 5 years have demonstrated the inordinate risk. The appointment of a Presidential Commission on Violence demonstrates that there are questions that must be answered about the use of violence against our public figures. I believe also that there is something wrong in our society that must be corrected. I do not believe that this country is sick beyond cure, that our society's illness is terminal. I do believe, however, that a cure for the violence against our public figures is not yet available and to deny that something must be done—as an interim measure—to utilize the potential of mass communication and restrict the risk to our national leaders is to prejudge that the status quo is an acceptable norm for this society.

I hope the interest in these proposals will not dissipate with the passage of time. For time is no longer unlimited.

Mr. President, on behalf of the distinguished Senator from Vermont [Mr. AIKEN] and myself, I send to the desk a joint resolution to change the term of the Presidency, and on behalf of both of us and the distinguished Senator from Kansas [Mr. PEARSON] I send to the desk another joint resolution seeking to establish a national primary and requiring the direct election of the President.

The PRESIDING OFFICER. The joint resolutions will be received and appropriately referred.

The joint resolutions, introduced by Mr. MANSFIELD, for himself and other Senators, were received, read twice by their titles, and referred to the Committee on the Judiciary as follows:

S.J. Res. 178. Joint resolution proposing an amendment to the Constitution of the United States relating to the term of office of President and Vice President of the United States; and

S.J. Res. 179. Joint resolution proposing an amendment to the Constitution of the United States relating to the nomination and election of the President and Vice President of the United States.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed at this point in the RECORD various newspaper editorials and articles concerning this matter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, June 7, 1968]

A THREAT TO THE SYSTEM

The shooting of Senator Kennedy, some commentators fear, threatens the very survival of America's political system. While that may overstate the case somewhat, surely the worry is not entirely unfounded.

If violence continues to grow and spread, it will of course lead to stronger efforts to suppress it. In such circumstances it would be easy to envision not only this country but others drifting closer to totalitarianism.

We naturally prefer to think that the recent unhappy events will shock leaders of opinion into ceasing the preachments that do so much to stimulate the violence. The way some of them have talked, violent acts have become little more than another form of free speech.

Even if the trend is arrested, though, there still will be reason to reappraise the nation's methods of choosing its leaders. It is possible to alter those methods, in ways that would promote both candidate safety and intelligent public choice, without endangering the country's tradition of freedom.

The idea that candidates should drop in on almost every hamlet and shake as many hands as they can grasp is, after all, of relatively recent origin. Campaigns that stretch over many months are something that earlier Americans never foresaw either. This process certainly endangers public figures excessively; no matter how careful the security measures, a candidate will still be at the mercy of an assassin who is willing to take the consequences.

Aside from that, the present setup simply serves the nation poorly. The incessant campaigns drain the physical energy of men who, if they attain office, will need all the strength they can summon. When governors, Congressmen and other elected officeholders tramp the country interminably, moreover, their constituents are denied their services for far too long.

The lengthy campaigns have also helped to balloon political budgets, enlarging the risk that the candidates who attain office will be beholden to their biggest contributors.

It's a problem that cannot be completely solved; no one wants to isolate a candidate somewhere in a sealed room. But wiser use of television and other modern communications media should make it possible to cut down on the hand-shaking.

If that were done, it should be possible to cut down on the length of campaigns as well. Britain manages to pick its governments in a matter of a very few weeks, and there's no evidence that its political process suffers thereby.

The grim event of this week clearly offers fresh reason to dispense with elongated political circuses.

[From the Baltimore (Md.) Sun, June 17, 1968]

TIME TO CHANGE

Senator Mansfield speaks for many in and out of politics when he calls for a whole new procedure for nominating and electing Presidents. The existing system is nonsensical and dangerous. The state primaries are expensive and prove not enough. Both conventions have become unrepresentative of the electorate. The post-convention face-to-face campaigning style of the past decade is dangerous, too demanding, of more benefit as a morale booster for party workers than as a vote getter, and a showcase for talents that are not really crucial in a President. Then when all of that is over, there is the electoral college, with its capacity to elect the candidate with the fewer votes, or no one at all.

Senator Mansfield proposes specific remedies, such as a national primary and direct popular election of the President, and greater use of television and radio. There would be drawbacks involved in each of those approaches, but they may be the best of all the possibilities. What is needed—we hate to say it—is a top level commission of government and non-government experts to study the existing political environment and the many ideas for change and recommend to the Congress the changes it believes will be most useful.

[From the Washington (D.C.) Post, June 15, 1968]

MIKE'S ELECTORAL PACKAGE

Senate Majority Leader Mike Mansfield has properly read the mood of the country in calling for a major overhaul of the machinery for the election of the President. The assassination of Senater Kennedy has made us more aware of the extravaganza aspects of our quadrennial campaigns. It is unfortunate that nothing can be done to alter the machinery that is operating so uncertainly before the 1968 decision is made.

The most important item in the Majority leader's galaxy of reforms is the direct election of the President and Vice President. Fortunately, this now has widespread public support. The alternatives have been exhaustively studied, and most of the authorities who have been warning us for years about the perils in the outmoded Electoral College are now ready to accept direct election of the President and his running mate, without any wobbling and manipulable device between them and the people. Congress has been too slow in sending this reform, already embodied in a carefully worked out constitutional amendment, to the states for ratification.

Much more difficult is the Mansfield recommendation for Nationwide primaries to be held on a single day for nomination of presidential and vice presidential candidates. Unlike the direct-election amendment, this proposal has not been carefully worked out. Despite much talk of abolishing the national party conventions, no group has yet devised a system of uniform primaries that has won anything like a consensus. Additional work will have to be done on this reform, and there would be no point in holding up enactment of the direct-election amendment until this more troublesome problem has been solved.

Extension of the right to vote to 18-year-olds in every state, a reform that is sponsored by President Johnson and many others, is in a very different category. It can be, and should be, promptly approved. The country seems to be ready for it. No complicated machinery would be necessary to put it into effect.

As for Mr. Mansfield's other proposal, a single six-year term for the President, it

might better have been left in his secret file. Having limited every President to two four-year terms only a few years ago, Congress is not likely further to shorten the time in which an administration can carry out its program. This controversial item serves only to detract from the constructive reforms to which the Majority Leader has lent his support.

Another item that may well be eliminated from any action program is the Mansfield suggestion that presidential campaigning be restricted to television and radio. This is not a matter that can reasonably be regulated by law. Both Presidents and candidates for the office must have some contact with the rank and file to function properly. Congress has wisely extended protection to such candidates, but the nature and style of their appeal to the people will have to be left largely to the individual. We hope that these ill-advised items in the Mansfield package of electoral reforms will not detract from its other admirable segments.

[From Newsday, June 14, 1968]

ELECTION REFORM

With the assassination of Sen. Robert Kennedy (D. N.Y.) still a fresh memory, Senate Majority Leader Mike Mansfield (D. Mont.) has proposed some sweeping election reforms. Some of these are based upon the mob-scene, circus-extravaganza atmosphere that tends to surround all candidates for nomination and election to the presidency. Others are related to the cumbersome and even outmoded systems which control our presidential elections.

The Mansfield program would: (1) abolish the quadrennial nominating conventions and state presidential preferential primaries; (2) establish a nationwide presidential primary to be held on single day; (3) abolish the Electoral College so the President and vice-president would be chosen by direct vote, (4) limit the presidency to a single six-year thereby requiring the successful candidate to go through only one campaign and (5) extend the right to vote to 18-year-olds in all states. In addition, more or less as a postscript, Mansfield would confine public appearances by presidential candidates to TV and radio, thus sharply reducing campaigning hazards.

These are all thought-provoking ideas. For each there is an ample set of pros and cons. It is a serious question, for example, whether the candidates can be shut off from their constituents without losing the personal contact that, up to now, has been the essence of our political system. Maybe this is necessary in these turbulent times, maybe not. All the Mansfield proposals, however, need the most careful consideration.

Memo to Congress: Why not appoint a joint Senate-House committee to make a thorough study and to come up with some conclusions? The American political system has served us well in the past. But as times change, institutions must change, too. This would be a good time for Congress to make a fresh appraisal of the machinery of American politics.

[From the Baltimore (Md.) Sun, June 17, 1968]

CAMPAIGNING BY PHYSICAL CONTACT

(By Gerald Griffin)

There has always been something demeaning, and wasteful as well in terms of time and energy, about a candidate for the presidency of the United States campaigning in the streets like a candidate for county sheriff. This is something relatively new in American politics, having been originated largely by the late Senator Estes Kefauver of Tennessee, and it would be no great loss to our system now if, in our renewed concern for the safety and security of our public men, it is stopped.

But if because of this same concern a much wider restriction must be placed on the appearances of Presidents and other leaders at public gatherings—at outdoor meetings or in street parades—our national life will be affected and our political system will be substantially changed, probably for the worse.

Moreover, the matter no longer is a subject for idle speculation. President Johnson has long since been forced to curtail drastically his own public appearances. Not only is he heavily guarded when he leaves the White House. His travel plans are not disclosed until the last possible moment. He has been moving about the country blanketed in a secrecy seldom experienced here except in a period of all-out war.

It is only common sense, of course, to guard against the murder of Presidents and other national leaders. But it must be recognized that the device of keeping a President under security rules which come close to seclusion is an expedient which points to a malady but does not get at its source.

President Johnson, in his remarks last Monday to members of the commission he had appointed to investigate violence in America, touched upon the political aspects of the problem when he asked the commission: "Does the democratic process which stresses exchanges of ideas permit less physical contact with masses of people—as a matter of security against the deranged individual and obsessed fanatic?"

Our Presidents, as the record since Abraham Lincoln attests, have all too often been the targets of assassins. The murder this year of the Rev. Martin Luther King and Senator Robert Kennedy, both of whom were national leaders engaged in the exchange of ideas in the democratic process, has broadened the subject.

It has never made any sense for a President to mingle with a crowd, shaking hands with people pushing against an airport fence, for example, as President Kennedy did and as President Johnson did, in particular, during his 1964 campaign. Reporters who remember Mr. Johnson's hands, scratched and bleeding from such encounters, would bar such practices, on this evidence alone. Whether the risk of assassination in such a setting was as great as it seemed may be open to question; President Kennedy was moving in an automobile when he was shot and Senator Kennedy was in the relatively restricted kitchen of a large and expensive hotel.

Perhaps we have too many people and too many obsessions—too many people already deranged or on the fringe of insanity—to permit a President or even a candidate for President to walk in crowds or even to appear unsheltered in public. It will be hard to accept this as anything more than an emergency measure, yet people in the cities have learned not to walk alone after dark and otherwise to condition themselves to this era of reckless crime and violence.

Raising the level of our presidential campaigning by taking it out of the streets is a different matter. It will be a national gain if this is done, even without reference to the threat of volence. I am not referring here to open-air meetings and motorcades through city streets, but to the street corner and store-to-store kind of handshaking campaigning which Senator Kefauver perfected in New Hampshire in 1952.

Mr. Kefauver, a big folksy man, shambled through the primaries so tirelessly and successfully that other candidates, notably Adlai Stevenson in 1956, had to match him in this technique. Often they went into barbershops and lunchrooms to grab the hands of bemused voters. The returns never have seemed worth the price.

A certain dignity is properly associated with the presidency. It is nice to shake hands with a President or a candidate for that office, but it isn't everything. He should be elected on the basis of his capacity to be President, and this has much more to do with the quality of his mind than the warmth of his grip.

[From the New York Times, June 16, 1968]

GO SLOW, MIKE MANSFIELD

(By Tom Wicker)

WASHINGTON.—Woodrow Wilson chose an apt moment, his first message to Congress in 1913, to propose the national nominating primary as a substitute for the national party convention. After all, just the year before in the sweltering heat of Baltimore before air conditioning, Wilson had sweated out 45 ballots before winning the Democratic Presidential nomination from Champ Clark of Missouri.

Majority Leader Mike Mansfield of Montana now has chosen another appropriate moment to revive the national primary idea, a hardy perennial that not too many years ago was regularly brought forward by Senator William P. Langer of North Dakota. At least, this moment seems appropriate to many who believed that the struggle in the state primaries between Robert F. Kennedy and Eugene McCarthy ought to have some effect on the Democratic party Presidential nomination, and who now fear that it will go to Vice President Humphrey, for whom there was no appreciable support in any primary save that of South Dakota.

Mansfield made his proposal as part of a deceptively attractive package of political reforms—including also the abolition of the electoral college in favor of direct popular election, reduction of the voting age to 18, and limitation of the Presidency to a single six-year term.

He also proposed, in the residual shock of Kennedy's murder, that candidates' appearances be limited to television and radio, because "you just don't know who's out there in the crowd." It is, of course, not only impossible to accomplish this objective short of an obviously unconstitutional statute; it is also undesirable, since if in-person campaigning is judged too dangerous in the United States, we need no longer delude ourselves that we are a democracy, a republic, or any other form of representative government.

With the coming of one-man, one-vote procedures in apportioning legislative representatives, the last good reason for retaining the electoral college is disappearing. The activities of Senator McCarthy's youthful army have shown how ready and eager are American 18-year-olds for the vote and the fuller participation in society that it represents.

But Americans ought to scrutinize with extreme care any proposal either to lengthen a Presidential term (suppose it were Lyndon Johnson's?) or to limit any President to but one term (which would not only rule out the only men qualified by experience, but change the nature of the office).

And even if, to the disappointment of Kennedy and McCarthy supporters, Humphrey wins the 1968 nomination with a bag of non-primary delegates, there ought to be equal caution about doing away with the convention system in favor of the national primary.

CONVENTIONS USEFUL

A convention does, for instance, provide a natural party forum in which a platform can be cooperatively written, and in which pressures exist to choose candidates who can stand on it, thus loosely framing a national party identity. It gives room for maneuver to party leaders who want a broad-based Presidential candidate, and if no such man has presented himself it gives the leaders an opportunity to put pressure on him (as they did on Adlai Stevenson in 1952). At its best, a convention both tempers and consolidates sheer factional strength within a party.

National primaries raise many problems. Where do the independents go? Either they would be excluded from the nominating process (as it is now, independents at least have had the indirect participation of having to be taken account of by the delegates to a convention), or forced to choose a party identity. Is either option desirable?

What about multiple entries? These might well produce either runoff primaries, which would drag out the length and cost of the process, or minority nominees. In a runoff, factional combinations could and often would defeat the original front-runner. A minority nominee, even though he ran ahead of his opponents, might be far too narrowly based to win a national election against the other party.

QUESTION OF COMPATIBILITY

How would Presidential and Vice Presidential candidates be matched, either politically (like Kennedy and Johnson in 1960) or to avoid incongruous combinations (say, Humphrey and McCarthy, men of the same state and of incompatible views)?

Both the conventions and the electoral college, moreover, act as safeguards against pure democracy—as brakes on unbridled popular will, with all its dangers. Together, they make it almost impossible for some demagogue to vault into power by exploiting popular prejudice, and while the temper of the age is unquestionably that of more "participation" in the political process, there is a real question whether both the nomination and the election of Presidents ought to be opened at once to unchecked popular choice.

For the moment, abolishing the electoral college in favor of direct election is a reasonable and modest step toward a political process compatible with modern requirements. Both the American Bar Association and the Senate Subcommittee on Constitutional Amendments have produced satisfactory plans for this reform. No such qualified body has yet developed a good national primary plan and until this is done, the nominating convention remains the most workable alternative.

Mr. AIKEN. Mr. President, I feel honored to be invited by the distinguished Senator from Montana to be a cosponsor of the two proposed constitutional amendments. I think the Senator from Montana has made it plain in his remarks that they may not be phrased in exactly the words to accomplish the purpose which is intended.

I am quite sure that, as written, they may not be a cure-all for the present unsavory political situation which exists in this country. But I do believe that we have to take cognizance of the situation as it is now and undertake to do something about it. Something is wrong with the working of our electoral system as it now exists. Something is wrong with our convention system.

I have attended a few party conventions in my lifetime and have kept in touch with others by telephone. I am sure that the people do not have an adequate voice in the convention system as it is carried on today.

Something is definitely wrong with our electoral system under which electors from each State elect the President. I do not think that they betray the confidence which is entrusted in them. I think some of them think that being a presidential elector is a great honor which will stay with them for the rest of their lives. I can understand why they feel so, but nevertheless the convention system and the election system do need renovating.

I am also glad to join with the distinguished Senator from Montana, as I believe other Members of the Senate have, in advocating a vote for the 18-year-old people today who are probably better qualified to vote at the age of 18 years than most of us were.

One way in which to arouse the interest and concern of the young people today as to the seriousness of the situation is to give them responsibility.

Party platforms mean very little. I do not know just what they do mean. The public certainly does not have an adequate voice in writing party platforms.

It is true that in many respects representatives of the public can testify before a committee for a day or two before the convention if they have the money to appear at the site of the convention, a couple of thousand miles from home. But usually the planks of the platform are written well in advance of the so-called public testimony.

I have mentioned the electoral college.

I do not know whether the creation of a 6-year term for the President is a perfect solution. But I do know that it should be studied by Congress. I do know that so long as a President is eligible for reelection, under our present system, three out of four incumbents would undoubtedly use the machinery of government to bring about their own reelection.

They would not be human if they did not. And I do not mean that Lyndon Johnson is not human, because he certainly is. But he is the fourth one to whom I have referred. Three out of four would not do what he did.

I am sure that that situation should be studied, and I am also sure that, just as we try to keep up with technology in our industrial machinery, we should also try to keep up with desirable changes in the political machinery, which requires modernization just as much as our industrial plants and our agriculture have to keep up with the changes brought about by time and knowledge.

I thank the Senator from Montana for inviting me to be a cosponsor of the two proposed amendments to the Constitution.

I do not know of anything in the interest of democracy that is more important than that we give these matters the fullest possible study and consideration.

Mr. MANSFIELD. Mr. President, I extend my deepest and most heartfelt thanks to my distinguished colleague the senior Senator from Vermont. As I have said many times, anything that interests him or anything to which he adds his name brings with it dignity, prestige, understanding, and knowledge.

This effort is an attempt to at least make a start in the direction of bringing about a revival of a political system which in many respects has become dormant and in some respects irrelevant with the passage of time.

The distinguished Senator from Vermont indicated that it is the delegates, not the people, who, unfortunately, are the ones who select a presidential candidate, and many times the people are not left with much in the way of a choice.

I ask unanimous consent at this time that the name of the distinguished Senator from Wisconsin [Mr. PROXMIRE] be added as a cosponsor of the resolution dealing with national primaries and direct election of the President.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. If this proposal is worth anything, it should be given the consideration which I believe it deserves. This is one way of taking the power away from the delegates, who may or may not represent the people of the State from which they come, and giving the power to the people, where it belongs—giving them more of a say in the affairs of Government and at the same time creating, in my opinion, a better democracy.

Mr. President, I agree with the Senator from Vermont when he says that the 18-year-olds today are far smarter than the 21-year-olds of our generation—and that would apply to practically everyone who serves in this Chamber. These young people, this year, have made the greatest contribution to a primary that I have seen in my political life, by getting actively involved in politics, picking a candidate, sticking with him, and doing what they could to advance the causes in which they believe and in following a leader in whom they have faith.

The votes, to me, are of relative insignificance; but the participation of the younger generation in a constructive channel is to me of the greatest significance.

Again, I thank the distinguished Senator from Vermont, as well as the distinguished Senators from Wisconsin and Kansas, for joining in this effort.

Mr. PROXMIRE. Mr. President, I wish to express my gratitude to the distinguished Senator from Montana, the majority leader, for including me as a cosponsor of his excellent constitutional amendment.

This will add a new dimension to democracy, as I see it.

I introduced a similar national Presidential primary amendment 4 years ago, and I feel very strongly that the most important vote an American citizen casts is for the Presidency. Now, the American citizen only has a choice between the two men who happen to be nominated by the Democratic and Republican Parties. He does not have a real choice.

The Mansfield amendment would give him that choice. I believe it would tremendously improve not only the citizens' participation and interest but also would improve the excellence of our presidents, the office which we all know is the most important and significant in our democracy.

Also, I am delighted to take part in supporting the majority leader in the portion of the resolution which would end the electoral college. This is a dangerous appendix which should have been taken out of the body politic long ago. The vote at 18, I believe, also is long overdue.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that my name may be added as a cosponsor of the joint resolution (S.J. Res. 179) which has been introduced by the majority leader for himself, Mr. AIKEN, Mr. PEARSON, and Mr. PROXMIRE, which would abolish the electoral college and provide for the direct election of the President and Vice President in a primary.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I make the same request with re-

spect to the distinguished Senator from Maryland [Mr. TYDINGS].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX PACKAGE HITS POOR HARDEST

Mr. PROXMIRE. Mr. President, over the past 2 weeks the Joint Economic Committee has been holding hearings on the implications of the report of the President's Commission on Civil Disorders for the employment and manpower problems of our Nation's urban and rural poor. The testimony of all of our large group of distinguished witnesses firmly supported the conclusion presented in the Kerner report that "unemployment and underemployment are among the most persistent and serious grievances of our disadvantaged minorities." There was, furthermore, virtually unanimous agreement that perhaps the major responsibility confronting our Nation today is that of redressing this grievance, of providing this segment of our population with the opportunity to gain and retain respectable employment, in order to measure up to this traditional test of participation in American society.

I am happy to see that the Gallup poll, as reported in the newspapers yesterday, shows that whereas a great majority of the American people opposed the negative income tax concept or the guaranteed annual income, the overwhelming majority, in every income category, favored guaranteed jobs and opportunity for all people to work, and the Government as a residual employer.

Mr. President, it seems to me that this is most significant at this time; because, in view of these strongly supported conclusions, I question how we can justify a tax increase which would, according to the estimates of the President's Council of Economic Advisers, result in a loss to our economy of many needed jobs.

When a sizable Federal budget cut is added to the tax proposal, the effect on the job market is significantly aggravated.

Arthur W. Saltzman, manager of the education and training department of the Ford Motor Co., stressed in his testimony that "programs to create new jobs are ultimately dependent upon the real growth of the economy." Of course, the tax increase and the spending cut are going to slow that down.

In commenting on the outlook for our economy should the proposed tax and expenditure package be implemented, Dr. Lester C. Thurow, professor of economics at Harvard University, pointed out:

> If you look at all the existing econometric models of the American economy, and you program into them the current tax increase, and the current expenditure reduction, they all show a recession in 1969.

Dr. Gerhard Colm, chief economist at the National Planning Association, agreed that the tax conference report contains elements of "overkill"; our unemployment rate, which is currently about 3.5 percent, may well rise to 4 or 4.5 percent, expanding the ranks of the unemployed by some 500,000 to a million individuals.

And the picture, Mr. President, is even more bleak than might initially be assumed from a glance at these aggregate figures. It is common knowledge among experts in the manpower field, and indeed among minority groups themselves, that members of these nonwhite groups tend to be "the last hired and the first fired." The tax increase and spending cuts would generally dampen demand, and, therefore, cause a slackening of production and a decreased demand for labor. Which portion of the labor force would be likely to lose the most jobs, and be in the worst position to acquire other employment?

All of our witnesses agreed that the minority groups would suffer most severely. Thus, the tax package would have the most detrimental impact on the people we are especially anxious to help.

Dr. Thurow pointed out that in periods of low unemployment—3 to 3.5 percent—black incomes are approximately 60 percent of white incomes. During recessions, however, black incomes fall to only 50 percent of white incomes. It is thus quite clear which segment of our population bears a disproportionately large measure of the burden of a contraction in our economy. Dr. Thurow concluded that, if we are to alter the distribution of income in favor of the currently disadvantaged groups, "recessions must be avoided."

There is further irony, Mr. President, in trying to fight what is largely a cost-push inflation with the blunt aggregate measures contained in the tax conference report. In an economy in which a 2.2-percent rise in productivity over the years ending March 1968 was vastly outpaced by an increase in unit labor costs of 3.9 percent, with a consequent 3.9-percent rise in the consumer price level, there is a clear need for guideposts to restrain wage and price advances.

The aggregate tax and expenditure measures will have a decidedly depressing effect on the economy, while both failing to come to grips with the true causes of our current inflation and, simultaneously, imposing an unjust burden on that portion of our population least able to support it.

Mr. Garth L. Mangum, codirector of the Center for Manpower Policy Studies, offered powerful food for thought in the following comment on our proposed fiscal measures:

> I think we should recognize that we have all required the poor to be our price stabilizers . . . If we are going to do it [restrain inflation] by employment, obviously the people left out will be the people less able to bear that kind of burden.

BEST NEWS OF VIETNAM WAR—LAND REFORM GETTING ITS BIG CHANCE

Mr. PROXMIRE. Mr. President, Frederick Taylor writes in the Wall Street Journal of Friday, June 14, that it now appears possible that the Saigon government will pass a really big and meaningful land reform bill.

This bill is reported to go much farther than all past efforts. It would give to each farmer the land he is working and would gradually pay off the landowner.

As I said last year on the floor of the Senate, land reform will do more to provide the South Vietnamese with the will to fight and win than anything else that can possibly be done.

It will mean that the peasants who constitute such a large and vital part of the South Vietnamese population and who have been the special target of the Vietcong, and who have been vulnerable exactly because they have been exploited by absentee Saigon landlords at last will have a real stake in their nation and their government.

It is interesting that this vital reform was only adopted when the South Vietnamese, as Taylor reports, recognized that "in the foreseeable future—the pessimists put the time at 2 years and the optimists sooner, depending on peace talks in Paris—the South Vietnamese Government will have to stand on its own feet." The officials say the Saigon regime "had better start taking steps to win as much popular support as possible before that time."

Mr. President, this Senator has decided to do all he can to encourage our turning over to the South Vietnamese just as much of this war as possible as fast as possible for many, many reasons, and one big one is that this is the only way viable peace, freedom, and stability in South Vietnam are going to be achieved. For this reason this Senator intends to oppose any kind of escalation on our part in Vietnam from here on, whether that involves sending additional personnel, escalating bombing, or anything of the kind, with the single exception of stepping up our arming the South Vietnamese, the Thais and the South Koreans and others to do more of the job.

We have done our share in this operation and then some. We can not and should not pull out suddenly. But we should prepare to turn more and more of the war over to the South Vietnamese and we do not do that when we escalate our own operations in Vietnam. It has taken a long time for us to realize this. But it is about time we did so in action as well as words.

This means, in my view, that we should scrutinize appropriation measures and authorization measures to be sure that this Congress is not continuing to provide more and more funds for American escalation in Vietnam.

Mr. President, I ask unanimous consent to have printed in the RECORD the article entitled "Vietnam Land Reform May Get Moving Now After Years of Delay," written by Frederick Taylor, and published in the Wall Street Journal.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VIETNAM LAND REFORM MAY GET MOVING NOW AFTER YEARS OF DELAY—SAIGON ASSEMBLY LIKELY TO ACT ON A PLAN; GRANTING PEASANTS PLOTS SEEN BUILDING LOYALTY

(By Frederick Taylor)

WASHINGTON.—Though Presidential candidate Eugene McCarthy may find it hard to believe, land reform in South Vietnam may be on the way.

Sen. McCarthy, in his television debate with the late Sen. Robert F. Kennedy, commented dourly that he doubted there was

"much point in talking about reform in Saigon or land reform because we've been asking that for at least five years and it hasn't happened."

But action may come shortly. South Vietnamese legislators plan to introduce in the National Assembly, possibly within the next week, a new, simplified, American-conceived land reform proposal that could have far more effect than all past efforts. Under this plan, the Saigon government would give each tenant farmer the land he's working and would gradually pay off the landowner. Proponents estimate three million to four million acres, roughly half of all the farmland in South Vietnam, would change hands. The cost might total $500 million, to be paid over five to seven years; the money, inevitably, would have to come from the U.S.

This program is given a good chance of passage in the assembly in Saigon. Phan Quang Dan, named minister of state in the South Vietnamese cabinet reshuffle on May 24, has been telling Americans on his current tour of this country (he was in the U.S. when appointed) that a year ago a land reform measure would have received only four votes but that the climate of opinion has changed so much that today a proposal will pass the legislature. U.S. officials, while not quite so optimistic, still believe that land reform has a strong chance of enactment.

WINNING POPULAR SUPPORT

The reason for the increased interest in land reform, after years of talk and abortive attempts at action, is the dawning recognition by both South Vietnamese and U.S. officials that in the foreseeable future (the pessimists put the time at two years and the optimists sooner, depending on the peace talks in Paris), the South Vietnamese government will have to stand on its own feet. The officials say the Saigon regime had better start taking steps to win as much popular support as possible before that time arrives.

Moreover, there's a growing belief among both South Vietnamese and U.S. officials that land reform would help shorten the war by swinging over to the government's side masses of Vietnamese peasants who either accept the Vietcong or are apathetic. One U.S. land reform advocate argues that the only new step in this direction taken since 1961 has been what he calls "negative land reform," which provides for landlords to recover their property when U.S. or South Vietnamese troops free Communist-controlled areas; in such situations, the Americans may seem to be abetting the taking of land from peasants, and resistance to U.S. efforts may harden.

Roy L. Prosterman, a law professor at the University of Washington, did a special land study in South Vietnam last year. The study, financed by the State Department, started out as a fact-finding mission on the land-owning situation in South Vietnam. But it ended up as a series of recommendations for land reform. The study apparently helped swing both the department and some doubting members of the U.S. mission in Saigon behind a land reform program. The plan to be introduced in the South Vietnamese legislature is basically Mr. Prosterman's, endorsed by both South Vietnamese and U.S. officials. U.S. support is as crucial as South Vietnamese because of the reliance on American funds.

Some Vietnam experts in and out of Government have long argued that redistribution of land is a vital step toward winning the peasants' allegiance. As evidence of the need, they point to statistics on the ownership of farmland in South Vietnam.

TINY PLOTS

About three-fifths of the country's 16 citizens are farmers, living mainly by growing rice. About three-fifths of this rural population live south of Saigon in the Mekong Delta, where 80% of South Vietnam's rice is produced. Only 257,000 of the 1,176,000 farm-operating families in the delta own all the land they farm, according to a 1961 census, with an average size of 4½ acres. More than half a million delta families are only tenants on their land; the plots they farm average 3½ acres. Some 335,000 families own about one-third of the land they work; they rent the rest.

In the central lowlands, the rice strip along the coast, some 400,000 out of 696,000 families occupy farms averaging two acres in size, generally owning one acre and renting the other; in that region, 774,000 families live on rented land only.

The landlords, many of them absentees living in Saigon, collect rents ranging from one-third to one-half or more of the value of the crops raised; in the event of crop failure, they still demand most of the rental. Tenants who can't pay usually borrow at high rates of interest in order to remain on the land.

Howard University Professor Bernard Fall, who was one of the most knowledgeable men in the world on Vietnam, wrote not long before he was killed there in 1967: "While it is obvious that the middle of the war is not the best place to start such reforms, it must be realized that in Vietnam the choice no longer exists, for the reforms are as essential to success as ammunition for howitzers—in fact, more so, because the failures of land reform create an almost hopeless vicious circle. With only 25% of the non-urban population under effective government control, the large mass of landless peasants stands to lose a great deal the day Saigon re-establishes control over the countryside and thus restores the old tenant-landlord relationship, as invariably happened in the past whenever government troops reoccupied a given area."

The Prosterman land-reform proposal assumes, to start with, that the key to success of any plan is administrative simplicity. This would reduce the corruption that could otherwise be expected to bog down a land-reform program in Vietnam, he suggests.

The proposal also recognizes that most of South Vietnam's farmland is being worked by tenant farmers rather than by the landowners and that property boundaries are clearly marked by dikes; the tenants know the boundaries of the land they rent, and so do their neighbors. Under the plan, the government would simply declare that the land now being worked by the farmers is theirs, that they no longer must pay rent and can't be evicted. There would be no immedaite need to make land surveys or hand out property titles; these would be impractical, anyway, in areas now controlled by the Vietcong. In Vietcong areas, the peasants could get the word by air-dropped leaflets. "The tenant, or the squatter, would be confirmed on the land he presently occupies, without need for any administrative capability for shifting or resettling families, or for measuring amounts of land," Mr. Prosterman says.

To give the Vietnamese bureaucracy time to work out the details of paying off the landlords and to deliver land titles (as would eventually be done), Mr. Prosterman proposes an interim program of five years during which the government would pay the landlords the rents they would otherwise have collected from their tenants.

U.S. officials hope the South Vietnamese will approve a pilot program in one or two Mekong Delta provinces before the National Assembly ends its first regular session at the end of this month; the proponents of land reform figure legislation extending the program throughout the delta and then into the central lowlands would be introduced when the legislature returns in October.

FAILURE TO RATIFY HUMAN RIGHTS CONVENTIONS SPEEDS EROSION OF CONGRESSIONAL POWERS

Mr. PROXMIRE. Mr. President, the Senate in failing to ratify the various Human Rights Conventions before it is contributing to the erosion of the powers of Congress.

There is presently much concern about the Congress. Many say that the Congress is failing to keep abreast of the times and that the executive branch more and more is assuming policy-determining functions that constitutionally belong only to Congress.

Every 2 or 3 weeks the cry goes up on the floor of either the House or Senate or both that the executive is trespassing on the domains of Congress. Either the IRS is repealing longstanding tax law by executive fiat or the executive is repealing the antidumping laws without so much as a by-your-leave or the executive is entering into international agreements and then putting them into effect without Senate advice and consent.

It has become such a concern that the Senate created the Subcommittee on the Separation of Powers of the Judiciary Committee to investigate the roles of the three branches of government in light of their constitutional mandates and the way they are or are not carrying out those mandates.

I submit, Mr. President, that this investigation should not only look at the specific instances where it appears there has been encroachment by the executive or the courts but at why this encroachment could take place in the first place.

This encroachment and its escalation has reached the point where Under Secretary of State Katzenbach in effect could say to the Committee on Foreign Relations that the power to declare war has been removed from the Congress by the exigencies of the 20th century and that if there are to be checks and balances on this declaration, they will have to be provided by different points of view within the executive.

Mr. President, this is an amazing thing for a diplomat to say to the committee having jurisdiction over his department. But here is the point, we have encouraged this sort of attitude. We have not done enough to make clear to the executive that not only do these specific powers reside in Congress they will be exercised by Congress.

Thus our refusal to ratify the Human Rights Conventions reinforces the growing and dangerous notion that Congress is too slow and cumbersome and divided to meet the challenge of the 20th and 21st centuries. Our inaction makes the argument that the executive must take over more and more of our policymaking functions somewhat plausible.

Mr. President, the Senate by ratification of the Human Rights Conventions could assert not only its leadership in furthering the rights of all men but could reassert its leadership in the field of foreign relations. This is our domain and we gradually abdicate our position of leadership each time we fail to exercise our powers.

Mr. President, I urge speedy ratification of the Human Rights Conventions. Failure to do so only compounds the constitutional impasse that continually clogs the relations of the three branches of Government.

AMENDMENT OF PEACE CORPS ACT

Mr. SPARKMAN. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 2914.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2914) to authorize the further amendment of the Peace Corps Act, which was, strike out all after the enacting clause and insert:

That section 3(b) of the Peace Corps Act, as amended, which authorizes appropriations to carry out the purposes of that Act, is amended by striking out "1968" and "$115,700,000" and substituting "1969" and "$112,800,000", respectively.

Mr. SPARKMAN. Mr. President, I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to.

ORDER OF BUSINESS

Mr. PROUTY. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 3649—INTRODUCTION OF JOB OPPORTUNITIES ACT OF 1968

Mr. PROUTY. Mr. President, on behalf of myself and my distinguished friend, the junior Senator from Pennsylvania [Mr. SCOTT], I introduce a bill entitled Job Opportunities Act of 1968. I ask that the bill be appropriately referred, and I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

(See exhibit 1.)

The bill (S. 3649) to provide private enterprise with incentives to employ and train unemployed and low-income unskilled persons residing in both urban and rural areas, and to provide community employment and training by Federal and local governments as the employer of last resort, introduced by Mr. PROUTY (for himself and Mr. SCOTT), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. PROUTY. Mr. President, I have long been concerned with the problems faced by our children, our elderly, and our disadvantaged citizens. As a result of my position on the Labor and Public Welfare Committee and as ranking minority member on the Education and the Employment, Manpower, and Poverty Subcommittees, I have been in a favorable position to identify and understand the problems involved and to try to do something about them.

The bill which Senator SCOTT and I are introducing today is an attempt to face up to our manpower problems in a realistic way and in a manner which we feel has a very good chance of being enacted by this Congress.

We are convinced, as I am sure many of our colleagues are, that the problems of training, employing, and upgrading our disadvantaged citizens cannot be successfully accomplished without the substantial involvement of private enterprise.

Accordingly, the primary purpose of our bill is to provide incentives to private enterprise not only to hire and train the hard-core unemployed but also to upgrade the skills of underemployed and low-income employees in order that they may progress up the job ladder. This not only will open promotional opportunities for qualified disadvantaged persons originally trained for positions at the bottom of the job ladder, but will also provide a more highly skilled general work force, which it is predicted our expanding economy will need and be able to fully utilize in the coming years.

Title I of this bill is intended to provide these incentives to private business, by providing that up to 25 percent of an employer's costs under a training plan approved by the Secretary of Labor may be reimbursed to the employer. Its provisions are patterned on those contained in S. 812, my Human Investment Act, giving tax credits to employers, which has been cosponsored in both the House and Senate by a substantial number of Republicans.

In our present economic situation, however, I think it is fairly obvious that no tax credit proposal will be enacted by this session of Congress. As a result, this title permits financial assistance through grants from the Secretary of Labor. An employer who receives a maximum grant of 25 percent will in fact be able to recover from just under 50 to 75 percent or more of his training costs through the combination of the grant and savings from the deduction of training expenses on the company's Federal tax returns.

Mr. President, I ask unanimous consent that two memorandums from the Legislative Reference Service of the Library of Congress dealing with this subject, dated June 3 and June 7, 1968, respectively, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. PROUTY. Mr. President, in considering this analysis, it must be kept in mind that the bill I am introducing today provides a maximum grant of 25 percent, while these memorandums deal in terms of a maximum grant of 10 percent.

Title II of the bill which the junior Senator from Pennsylvania and I are introducing provides for community employment and training programs.

It is obvious that private business will not be able to immediately pick up all the slack in our need for additional employment and training programs. It is also clear that there are numerous Americans who, through no fault of their own, are not capable of obtaining or being trained for employment in private enterprise.

The general outline of our community employment and training program is similar to others which have been offered in the past, including my proposed amendment to the poverty bill last fall, cosponsored by my distinguished friend from Pennsylvania, which lost here in the Senate by a very narrow margin.

The innovative feature of our public works proposal involves the creation of a State council to plan and fund programs on a State basis under a plan approved by the Secretary of Labor. Sixty percent of the funds authorized for this title are designated for State use in programs designed to implement public service employment programs, with each States receiving a minimum allotment of $1 million.

It will be envisioned that State councils will be existing statewide comprehensive area manpower planning systems—CAMPS—expanded to include representatives of the general public such as from the ranks of labor, industry, social welfare, and agriculture. Prime sponsors who may submit applications to a State council to conduct community employment and training programs are limited to State agencies, local CAMPS organizations, and local community action organizations.

The Secretary of Labor, on the other hand, may provide financial assistance to any public agency or nonprofit private organization from the 40 percent of the authorization reserved for his use. State councils will be given 30-days' notice of any applications to the Secretary for direct funding in order to have the opportunity to comment on how the proposal fits into their over-all training plan.

This title is also designed to achieve equality of treatment for rural areas. It recognizes the impact on urban areas of outmigration, and provides that priority in filling positions be given to heads of households. I trust that my colleagues will seriously study this bill, and give it their support. The junior Senator from Pennsylvania and I do not believe that the country can afford to wait until next year to pass this legislation. We are convinced that our funding proposals are sufficient to get these programs off the ground and moving, yet modest enough to merit support in this time of fiscal instability.

Mr. President, I have also had prepared by the Library of Congress a section-by-section analysis of the Prouty-Scott bill, as compared to the provisions in the other pending manpower bills, S. 3063 and S. 3249. I ask unanimous consent that this also be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

EXHIBIT 1

S. 3649

A bill to provide private enterprise with incentives to employ and train unemployed and low-income unskilled persons residing in both urban and rural areas, and to provide community employment and training by Federal and local governments as the employer of last resort.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Job Opportunities Act of 1968".

Findings and statement of purpose

SEC. 2. (a) The Congress finds that certain urban and rural areas in the United States are severely burdened by substantial problems of unemployment and underem-

ployment; that many citizens are unable to obtain or retain productive jobs in the private sector of our economy as a result of lack of education, occupational skill or work experience, as a result of automation which continues to render obsolete many traditional skills, and as a result of artificial barriers to employment and occupational advancement; that the problem of unemployment and underemployment is aggravated by a sizable and continuing migration of unskilled and uneducated persons from rural areas to urban communities; that there is an urgent need to immediately develop job opportunities for all individuals residing in rural areas, thereby removing a major cause of such migration and reducing the problems which are contributing to social unrest and civil disorder in many urban localities; that there are certain disadvantaged persons who through no fault of their own have reached a stage in life where they can no longer be taught the skills required to obtain productive jobs in the private sector of our economy; and that unemployment and underemployment result in a tremendous loss of national productivity and are equally destructive of human dignity.

(b) It is, therefore, the purpose of this Act to provide incentives to American business to invest in the improvement of the Nation's manpower resources by hiring, training and employing presently unemployed persons lacking needed job skills, and by upgrading the job skills of and providing new job opportunities for workers presently employed and to provide meaningful community employment and training in public services and other public employment positions for low income, unemployed, and underemployed persons.

TITLE I—HUMAN INVESTMENT JOB TRAINING

Statement of Purpose

SEC. 101. The purpose of this title is to provide an incentive to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed workers lacking needed job skills, and by upgrading the job skills of and providing new job opportunities for workers presently employed.

Definitions

SEC. 102. For purpose of this title—

(a) The term "employer" means any private person, corporation, firm, or business concern which employs more than ten individuals in a trade or business, and any public corporation or institution engaged in a trade or business, or providing health or educational services.

(b) The term "employee training expenses" means—

(1) the wages and salaries of employees who are apprentices in an apprenticeship program registered with a State apprenticeship agency or the Federal Bureau of Apprenticeship and Training;

(2) the wages and salaries of employees who are enrolled in an on-the-job training program pursuant to section 204 of the Manpower Development and Training Act of 1962;

(3) the wages and salaries of employees who are participating in a cooperative education program involving alternate and approximately equal periods of study and employment in cooperation with—

(A) a school or college, or department or division of a school or college, which is certified by the United States Commissioner of Education to be an area voctaional education school as defined in section 8(2) of the Vocational Education Act of 1963 (Public Law 88-210), or

(B) a business or trade school, or technical institution or other technical or vocational school, which is certified by the United States Commissioner of Education to be an eligible institution as defined in section 17(a) of the National Vocational Student Loan Insurance Act of 1965 (Public Law 89-287);

(4) tuition and course fees paid or incurred by the employer to—

(A) a school or college, or department or division of a school or college, which is certified by the United States Commissioner of Educaiton to be an area vocational education school as defined in section 8(2) of the Vocational Education Act of 1963 (Public Law 88-210), or

(B) a business or trade school, or technical institution or other technical or vocational school, which is certified by the United States Commissioner of Education to be an eligible institution as defined in section 17(a) of the National Vocational Student Loan Insurance Act of 1965 (Public Law 89-287)

for instruction of an individual in job skills necessary for and directly related to his employment by the employer or his continued employment with the employer in a position requiring additional job skills, and amounts paid or incurred by the employer to any such individual in reimbursement for such tuition and fees paid by such individual;

(5) home study course fees paid or incurred by the employer to any home study school accredited by a nationally recognized accrediting agency or association listed by the United States Commissioner of Education for instruction of an individual in job skills necessary for and directly related to his employment by the employer or his continued employment with the employer in a position requiring additional job skills, and amounts paid or incurred by the employer to any such individual in reimbursement for such individual;

(6) expenses of the employer for organized job training (including classroom instruction) provided by him including (but not limited to) expenses for the purchase or lease of books, testing and training materials, classroom equipment and related items, and instructors' fees and salaries, incurred in training any individual in job skills necessary for and directly related to his employment by the employer or his continued employment with the employer in a position requiring additional job skills;

(7) expenses of the employer for organized job training described in paragraph (6) provided by another employer, but only to the extent the expenses of providing such instruction would, if it were provided by the employer, constitute employee training expenses of the employer under paragraph (6) of this subsection; and

(8) expenses of the employer for organized job training described in paragraph (6) provided by a business or trade association, joint labor-management apprenticeship committee, or other similar nonprofit association, group, trust fund, foundation, or institution for an employee or prospective employee of any employer member of such association, committee, group, trust fund, foundation, or institution in job skills necessary for and directly related to his employment by such employer member or his continued employment with such employer member in a position requiring additional job skills.

(c) The term "organized job training" means job training according to a plan formulated or approved by the employer which contains—

(1) the title and description of the job objectives for which individuals are to be trained;

(2) the length of the training period;

(3) a schedule listing various operations for major kinds of work or tasks to be learned and showing for each, job operations or work, tasks to be performed, and the approximate length of time to be spent on each operation or task;

(4) the wage or salary to be paid at the beginning of the course of training, at each successive step in the course, and at the completion of training;

(5) the entrance wage or salary paid to employees already trained in the kind of work for which the individuals are to be trained; and

(6) the number of hours of supplemental related instruction required.

Grants to encourage job training

SEC. 103. The Secretary of Labor is authorized to make grants to employers, in accordance with the provisions of this title, to pay not to exceed 25 per centum of employee training expenses of such employer.

Limitations

SEC. 104. (a) No grant may be made under this title except upon an application submitted by an employer at such times, in such manner, and containing or accompanied by such information, as the Secretary of Labor deems to be reasonably necessary.

(b) No grant may be made under this title unless the employee training expenses paid or incurred by the employer for which the grant is to be made is allowable as a deduction under section 162 (relating to trade or business expenses) of the Internal Revenue Code of 1954. For purposes of applying the preceding sentence, such expenses which are paid or incurred by the employer with respect to an individual who is not his employee shall be treated as paid or incurred with respect to an individual who is his employee.

(c) No grant may be made under this title for any employee training expense paid or incurred in training any individual in—

(1) management, supervisory, professional, or human relation skills;

(2) scientific or engineering courses creditable to a baccalaureate degree by an institution of higher education (as defined by the first sentence of section 103(b) of the National Defense Education Act of 1958);

(3) courses of a type determined by the Veterans' Administrator to be avocational or recreational in character under the authority of section 1673 of chapter 34 of part III of title 38, United States Code; or

(4) subjects not contributing specifically and directly to such individual's employment or prospective employment with the employer (or an employer member of an association, group, trust fund, foundation, or institution as used in paragraph (8) of section 102(b)).

This subsection shall not apply to—

(A) expenses described in paragraphs (4) and (5) of section 102(b) paid or incurred for courses and at institutions certified by a State apprenticeship agency (or where none exists, by the Bureau of Apprenticeship and Training) as eligible for inclusion in a registered apprenticeship program in an apprenticeable occupation listed by the Bureau of Apprenticeship and Training;

(B) expenses described in paragraphs (4) and (5) of section 102(b) paid or incurred for courses offered in a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge by an institution which is accredited or otherwise certified by the United States Commissioner of Education under paragraph 401(f)(5) of the Higher Education Facilities Act of 1963 (Public Law 88-204); or

(C) expenses described in section 102(b) for training which has been approved by the agency of a State that administers its State unemployment compensation law for individuals receiving unemployment compensation.

(d) No grant may be made under this title for any employee training expense for which the employer has been reimbursed

by any other employer, by any association, group, trust fund, foundation, or institution, or by any State, local, or Federal Government program, grant, contract, or agreement.

(e) No grant may be made under this title for any employee training expense paid or incurred by the employer for training conducted on the territory of any foreign country.

(f) A grant may be made under this title for employee training expenses paid or incurred with respect to any one individual under either paragraph (3) or paragraph (4) of section 102(b), but may not be made for expenses concurrently paid or incurred with respect to such individual under both such paragraphs.

Coordination with Federal income tax laws

SEC. 105 (a) For purposes of applying chapter 1 of the Internal Revenue Code of 1954, any grant received by an employer under this title—

(1) shall not be included in the gross income of such employer, and

(2) shall not be treated as reimbursement for expenses incurred by such employer in his trade or business.

Authorizations

SEC. 106. (a) For the purposes of carrying out the provisions of this title, there is hereby authorized to be appropriated $450,000,000 for the fiscal year ending June 30, 1969, $600,000,000 for the fiscal year ending June 30, 1970, and $750,000,000 for the fiscal year ending June 30, 1971.

(b) Appropriations authorized by this section shall remain available until expended.

Short title

SEC. 107. This title may be cited as the "Human Investment Act."

TITLE II—COMMUNITY EMPLOYMENT AND TRAINING

Statement of purposes

SEC. 201. It is the purpose of this title to provide meaningful employment opportunities in public service and other community activities which contribute to the development of human potential, better the conditions under which people live, learn and work, and aid in the development and conservation of our Nation's natural resources thereby relieving severe unemployment in both urban and rural areas while contributing to the national interest by fulfilling unmet needs.

Definitions

SEC. 202. As used in this title—

(1) "Community employment and training program" means a program designed to create employment opportunities, including provisions for necessary training and supportive services, for low-income, unemployed, or underemployed persons who reside in eligible areas within a State, in public service and other community activities to be carried out by State and local public agencies and nonprofit private organizations. Such term includes establishment, operation, and strengthening of any such program;

(2) "Low-income person" means any such person as defined pursuant to section 125 of the Economic Opportunity Act of 1964;

(3) "Heads of families" shall include any person who contributes more than one-half the support of one or more persons;

(4) "Urban area" means any metropolitan area as defined by section 208(4) of the Demonstration Cities and Metropolitan Development Act of 1966;

(5) "Rural area" means any area in any State no part of which is within an area designated by the Secretary pursuant to section 203 as an urban area and in which there is no city whose population exceeds 50,000 inhabitants;

(6) "Secretary" means the Secretary of Labor;

(7) "State" means each of the several States and the District of Columbia; and

(8) "State Council" means a State Manpower Coordinating Council, composed of not more than 20 persons established pursuant to State law or established by the chief executive of the State for purposes of this title, or an existing agency designated for the purposes of this title, which Council shall be broadly representative of the manpower and training resources of the State, including persons representative of—

(A) State agencies administering manpower, employment and training programs;

(B) State agencies administering apprenticeship and vocational education programs;

(C) State agencies administering social welfare, industrial development, labor, poverty and agriculture programs;

(D) the official within such State representing the Bureau of Apprenticeship and Training of the U.S. Department of Labor; and

(E) the general public, including industry, labor, social services and agriculture.

Eligible areas

SEC. 203. (a) The Secretary shall designate urban and rural areas to be eligible for assistance under this title. Eligible urban areas shall contain a high concentration of low-income families and individuals and shall have severe problems of unemployment and underemployment. Eligible rural areas shall contain a high proportion of low-income families and individuals and shall have severe problems of unemployment and underemployment, or a substantial emigration of individuals residing in such areas as a result of the problem of finding employment.

(b) The Secretary may define eligible areas under this section without regard to political boundaries. In defining such boundaries, however, the Secretary shall give due consideration to (1) boundaries of regional planning and development districts established by State planning agencies or by the chief executive of the State, and (2) to boundaries of existing areas to the extent practicable established for the purposes of the Economic Opportunity Act of 1964, the Public Works and Economic Development Act of 1965, the Appalachian Regional Development Act of 1965, the Demonstration Cities and Metropolitan Development Act of 1966, and other relevant provisions of Federal law.

Authorization of appropriations and distribution of funds

SEC. 204. (a)(1) For the purpose of carrying out the provisions of this title, except the provisions of section 211, there is hereby authorized to be appropriated the sum of $300,000,000 for the fiscal year ending June 30, 1969; the sum of $400,000,000 for the fiscal year ending June 30, 1970; and the sum of $500,000,000 for the fiscal year ending June 30, 1971.

(2) For the purpose of making loans under section 210 of this title, there is hereby authorized to be appropriated the sum of $50,000,000 for the fiscal year ending June 30, 1969; the sum of $40,000,000 for the fiscal year ending June 30, 1970; and the sum of $25,000,000 for the fiscal year ending June 30, 1971.

(3) Appropriations authorized by this subsection shall remain available until expended.

(b) From the sums appropriated pursuant to section 204 (a) (1) for any fiscal year, the Secretary shall reserve up to 40 per centum for the direct funding of community employment and training programs, allot the remainder of such sums among the States in accordance with such uniform standards as the Secretary shall prescribe. In arriving at such standards the Secretary shall consider the following: (1) the proportion which the population of a State bears to the population of all the States, (2) the proportion which the average family income of a State bears to the average family income in all States; and (3) the proportion which the unemployed in a State during the preceding calendar year bears to the number of unemployed in all States during the preceding calendar year.

(c) Any portion of an allotment of a State under subsection (b) of this section for any fiscal year which the Secretary determines will not be required for the period for which such allotment is made, shall be available after the ninth month in such year for grants pursuant to section 205, but only after the Secretary furnishes such State 30 days prior notice of his intention to make a determination under this subsection.

(d) Not to exceed 50 per centum of the funds available to a State council under this title may be used to implement community employment and training programs operated by State agencies.

(e) In any State which has not submitted a State plan, or in any State where a submitted State plan or modification thereof has been disapproved by the Secretary, funds allocated to such State under subsection (b) shall be made available to qualified applicants in that State directly by the Secretary pursuant to section 205.

(f) Not more than 12½ per centum of the sums appropriated for any fiscal year to carry out the provisions of this title may be used within any one State.

Financial assistance

SEC. 205. (a) From funds reserved pursuant to section 204 (b) the Secretary is authorized to provide financial assistance to public agencies and nonprofit private organizations having applications approved by him pursuant to section 207 to pay part or all of the costs of community employment and training programs.

(b) From funds allotted to each State pursuant to section 204(b) the Secretary is authorized to provide financial assistance to State councils having a State plan approved pursuant to section 206 to pay part or all of the costs of community employment and training programs.

(c) Financial assistance under this section shall include but need not be limited to, public service and community activity job opportunities in such fields as health, public safety, education, recreation, streets, parks and municipal maintenance, housing and neighborhood improvement, conservation and rural development, beautification, and other fields of human betterment and public improvement. Such jobs shall include (1) those which can be made available immediately to persons who are otherwise unable to obtain adequate employment, (2) those which provide placement resources for persons completing training under titles I and V of the Economic Opportunity Act of 1964 and other relevant manpower training programs, and (3) those which use the skills of unemployed persons in areas with a chronic labor surplus. Priority shall be given to projects which are labor intensive in character. To the extent possible, such programs shall be designed to facilitate the placement of persons employed in such jobs in private employment and training under title I of this Act and in regular competitive employment, including the encouragement of private employers to adopt innovative approaches which create or make available additional jobs and new types of careers for unemployed, underemployed, and low-income persons.

(d) Up to 25 per centum of the funds available to the Secretary or a State Council under this title, as the case may be, may be used for the purpose of carrying out training programs under the Manpower Development and Training Act of 1962, part B of title I of the Economic Opportunity Act of

1964, and other relevant Federal training programs if it is determined by the Secretary or the State Council, as the case may be, that this is the most effective method of providing opportunities for further education, training and necessary supportive services for program participants in order to prepare them to obtain regular competitive employment in the future.

State plans

SEC. 206. (a) Any State desiring to receive payments for any fiscal year to carry out a State plan under this title shall establish a State Council and through such Council shall—

(1) set forth dates before which State agencies, local comprehensive area manpower planning agencies, and community action agencies eligible under section 122 of the Economic Opportunity Act of 1964 shall submit applications for grants to such State Council to carry out community employment and training programs in eligible areas;

(2) review applications from such agencies or organizations;

(3) prepare and submit through the chief executive of such State the State plan required by this section at such time and in such detail as the Secretary deems necessary;

(4) develop and maintain definitive and comprehensive information on the number and characteristics of the unemployed and underemployed in the State, up-to-date information on present and projected future employment opportunities in the State, and effective means of bringing job seekers and employment opportunities together in an expeditious manner;

(5) provide planning and technical advice to grantees and applicants, and otherwise assist them in coordinating and consolidating community employment and training programs; and

(6) develop methods of improving communications among manpower agencies, identify areas not covered by existing manpower programs and unnecessary duplications in such programs, and recommend the manner in which such programs may be combined or more efficiently funded.

(b) The Secretary shall approve a State plan or modification thereof if he determines that the plan submitted for that fiscal year—

(1) sets forth a community employment and training program;

(2) sets forth administrative organization and procedures in such detail as the Secretary may by regulation prescribe;

(3) sets forth criteria for achieving an equitable distribution of assistance under this title within the State, which criteria shall be based on—

(A) the geographic distribution of eligible areas within such State,

(B) the concentrations or proportions of unemployed, and the estimated concentrations or proportions of underemployed and low-income persons in such areas,

(C) the estimated number and trends in the movement of job opportunities in private enterprise, and

(D) the estimated movement of unemployed, underemployed, and low-income persons to and from such areas;

(4) contains satisfactory procedures to be followed by such State Council for coordinating and consolidating community employment and training programs assisted under this title with similar programs assisted under other provisions of Federal law, including such programs assisted under the Social Security Act;

(5) provides for adoption of effective procedures for the evaluation, at least annually, of the effectiveness of the programs and projects, by the State Council assisted under the State plan in meeting the purposes of this title and for appropriate dissemination of the results of such evaluations and other information pertaining to such programs or projects;

(6) sets forth policies and procedures which give satisfactory assurance that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the fiscal effort (determined in accordance with criteria prescribed by the Secretary, by regulation) that would, in the absence of such Federal funds, be made by the applicant for the purposes of this title;

(7) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under this title;

(8) provides for making an annual report and such other reports, in such form and containing such information, as the Secretary may reasonably require to carry out his functions under this title, including reports of evaluations made in accordance with objective measurements under the State plan pursuant to paragraph (5) of this subsection, and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports; and

(9) provides that final action with respect to any application (or modification thereof) regarding the proposed final disposition thereof shall not be taken without first affording the applicant submitting such application reasonable notice and opportunity for a hearing.

(c) The Secretary shall not finally disapprove any State plan submitted under this section, or any modification thereof, without affording the State Council submitting the proposed plan reasonable notice and opportunity for a hearing.

Applications

SEC. 207. (a) A grant under this title pursuant to an approved State plan or by the Secretary for a community employment and training program may be made only upon application to the appropriate State Council or to the Secretary, as the case may be, at such time or times, in such manner, and containing or accompanied by such information as the Secretary deems necessary. Such applications shall—

(1) provide that the activities and services for which assistance is sought under this title will be administered by or under the supervision of the applicant and identify the agency or agencies designated to carry out such activities or services;

(2) set forth a community employment and training program, with adequate procedures to assure priority for eligible persons who are heads of households, and in sufficient detail to describe—

(A) the unemployed, underemployed and low income persons to be assisted by such programs, together with a description of the methods to be used to recruit and select such persons;

(B) the title and description of jobs to be filled, a listing of the major kinds of work to be performed and skills to be acquired, and the approximate duration for which participants would be assigned to such jobs;

(C) the wages or salaries to be paid participants and a comparison with the prevailing wages in the area for similar work;

(D) the education, training, and supportive services which complement the work performed and which will prepare participants for regular, competitive employment in the future;

(E) the placement activities for participants, including a description of probable future job opportunities;

(F) the means to be employed to assure full participation and maximum cooperation among local public officials, representatives of business and labor, and residents of eligible areas in the development of the program and a description of their respective roles, if any, in the conduct and administration of such program;

(3) set forth procedures for coordinating at the local level the program for which assistance is being sought and other relevant federally assisted programs, including programs assisted under the Manpower Development and Training Act of 1962, the Economic Opportunity Act of 1964, the Public Works and Economic Development Act of 1965, and Demonstration Cities and Metropolitan Development Act of 1966;

(4) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and to the extent practical increase the level of funds that would in the absence of such Federal funds be made available in the area to be served by the applicant for the purposes described in section 201 and in no case supplement those funds;

(5) provide, in the case of an application made directly to the Secretary, adequate procedures to assure that such application has been submitted to the appropriate State Council for comment at least 30 days prior to the submission of such application to the Secretary;

(6) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for the Federal funds paid to the applicant under this title; and

(7) provide for making an annual report and such other reports in such form and containing such information as the Secretary may reasonably require to carry out his functions under this title and for keeping such records and affording such access thereto as the Secretary finds necessary to assure the correctness and verification of such reports.

(b) An application, or modification, or amendments thereof, for a grant under this title may be approved only if it is consistent with the applicable provisions of this title and meets the requirements set forth in subsection (a).

Special conditions

SEC. 208. (a) No financial assistance shall be provided for any program under this title unless it is determined by the Secretary or the appropriate State Council, as the case may be, pursuant to regulations prescribed by the Secretary, that—

(1) no participant will be employed on projects involving political parties, or the construction, operation or maintenance of so much of any facility as is used or as is to be used for sectarian instruction or as a place for religious worship;

(2) the program will not result in displacement of employed workers or impair existing contracts for services, or result in the substitution of Federal for other funds in connection with work that would otherwise be performed;

(3) wages paid a participant shall not be lower than, whichever is the highest of (A) the minimum wage which would be applicable to the employment under the Fair Labor Standards Act of 1938 if section 6 of such Act applied to the participant and he was not exempt under section 13 thereof, (B) the State or local minimum wage for the most nearly comparable covered employment, or (C) the prevailing rate of wages in the area for similar work;

(4) the program will, to the extent appropriate, contribute to the occupational development or upward mobility of individual participants.

(b) For programs assisted under this title related to physical improvements preference shall be given to those improvements which will be substantially used by low-income persons and families in urban or rural areas

having concentrations or proportions of low-income persons and families.

(c) Programs assisted under this title shall, to the maximum extent feasible, contribute to the elimination of artificial barriers to employment and occupational advancement, including civil service requirements which restrict employment opportunities for the disadvantaged.

Withholding

SEC. 209. Whenever the Secretary, after reasonable notice and opportunity for hearing finds that there has been a failure by an applicant to comply substantially with any requirement set forth in the application of such applicant or the State Council to comply substantially with any requirement set forth in the plan of that State approved under this title, the Secretary shall notify the applicant or State Council that further payments will not be made to the applicant or State Council under this title (or, in his discretion, that the applicant, or State Council shall not make further payments under this title to agencies and organizations receiving assistance from it and affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the applicant or State Council under this title, or payments by the applicant or State Council under this title shall be limited to agencies and organizations not affected by the failure, as the case may be.

Loans

SEC. 210. (a) From sums appropriated pursuant to section 204 (a) (2) the Secretary is authorized to make loans to public agencies and private organizations for the purchase of supplies and equipment which support community employment and training programs assisted under this title.

(b) Loans authorized under this section may be made without interest and under such other terms and conditions as the Secretary may prescribe.

Administration

SEC. 211. (a) In administering the provisions of this title the Secretary is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or private nonprofit agency or institution, in accordance with agreements between the Secretary and the head thereof.

(b) (1) The Secretary shall pay to each applicant which has an application approved by him pursuant to section 207 from funds reserved by him, and to each State Council which has a State plan approved by him under section 206 from funds allotted to such State, the amount necessary to carry out the cost of the programs pursuant to such application or plan.

(2) Payments under this title may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

Reports

SEC. 212. The Secretary shall submit to the Congress a report on the progress made in implementing this title together with such recommendations, including recommendations for additional legislation, as he deems advisable on or before May 15, 1969, November 15, 1969, and on or before May 15 and November 15 of each year thereafter.

EXHIBIT 2

[From the Library of Congress, Washington, D.C., June 3, 1968]

To: Hon. Lister Hill, Chairman, Senate Committee on Labor and Public Welfare.

From: Economics Division.

Subject: Comparison of several employee training bills.

This memorandum is in partial response to your letter of May 22 in which you request information on several bills. It is concerned with your question "whether the 10 percent reimbursement allowance under their proposed bill will result in as much financial assistance to a participating employer as would be received under the 10 percent tax credit provisions in S. 812." The part dealing with Senator Javits' amendment will be forwarded to you as soon as we have completed our evaluation of it.

In most cases the 10 percent tax credit and the 10 percent reimbursement would be expected to provide the same financial benefit to the employer. This presumes, however, that:

(1) The same type of expenses qualify for the tax credit as for the reimbursement.

(2) The amount of reimbursement would be set by the Secretary of Labor at 10 percent and not at a lower percentage. The bill authorizes the Secretary of Labor to make grants to employers *up to 10 percent* of employee training expenses.

(3) The amount and method of distribution of the appropriation available for grants will be sufficient to reimburse eligible employers for 10 percent of the qualifying expenses.

A tax credit, as distinguished from a deduction from income, provides the taxpayer a tax saving equivalent to the tax credit. Thus, if an employer is allowed a tax credit equal to 10 percent of his training expenditures, and incurs $1,000 training expenses, the credit will reduce the employer's tax liability by $100.[1] Similarly, if the employer is granted a 10 percent reimbursement for training expenses he would receive a Government payment equal to $100.[2]

Under certain circumstances described below, the ten (10) percent tax credit may provide less financial benefit than the reimbursement of 10 percent of the training expenses.

If an employer has no taxable income during the taxable year in which the training expenses are incurred, he would have no tax liability in the current year against which to offset the tax credit. Also, the employer may be unable to take advantage of the full credit, because of the limitation of the amount of tax credit based on the current year's tax liability. Thus, the taxpayer may not be able to offset the tax credit in whole or in part against the current year's tax liability. The reimbursement, however, would be equal to the full 10 percent of the training expenses regardless of the profits or tax liability of the employer.

S. 812 provides, however, that if an employer is entitled to a tax credit, but either has no tax liability in the current year against which to offset the credit, or cannot use the full credit because of the limitation to the credit based on the curent year's tax liability, the unused amount of credit may be offset against tax liabilities of other years. Thus, a taxpayer may be able to carry back the full amount of his unused credit for three years prior to the current taxable year.[3] If so, he will obtain a tax saving equivalent to the full 10 percent tax credit. If, however, any credit is still unused, it may be carried forward for seven years subsequent to the current taxable year until fully used. If the employer is able to use up the credit within this seven year period, his tax saving from the credit will be 10 percent of the expenses. However, he will sustain a financial cost to the extent that he has lost the earning power of the funds for the period of 1–7 years during which the full credit was used. If the taxpayer is unable to use his full credit during the seven year carry forward period, the unused amount will be lost. Thus, the employer would receive a tax benefit in an amount less than 10 percent of the expenses, and also lose the amount of income that he would have earned on the funds if he had obtained a full 10 percent tax credit in the taxable year in which the expenses were incurred.

As a supplementary comment, we wish to note the bill which proposes a 10 percent reimbursement may in some cases grant less favorable tax treatment to the employee than S. 812 allows. Section 5 of S. 812 specifically provides for an exclusion from the employee's gross income certain tuition fees paid by the employer. We have not identified any similar exclusion in the reimbursement bill.

[From the Library of Congress, Washington, D.C., June 7, 1968]

To: Senate Committee on Labor and Public Welfare, Attention: Mr. Peter C. Benedict.

From: Economics Division.

Subject: Comparison of several employee training bills.

This is in further response to your request for a comparison of several proposals which provide a financial incentive to employers who incur employees' training expenses.

Our memorandum of June 3 compared the financial benefit provided in Senator Prouty's bill, S. 812, with his proposal to grant employers a reimbursement for a percentage of training expenses. As our memorandum pointed out, it could be expected that basically the two proposals would provide a similar benefit. Thus, in comparing these proposals to Senator Javits' Amendment No. 679 to S. 3249, we will limit our comparison of the amendment with S. 812. This will simplify our presentation.

Both S. 812 and Amendment No. 679 allow an incorporated or unincorporated business to reduce its tax liability by a tax credit equal to a specified percentage of certain expenses incurred for training employees.

S. 812 provides that a tax credit will be allowed for wages, tuition fees, and other related expenses connected with a training program. Related expenses would include such expenditures as books and materials. Senator Javits' amendment would be more restrictive in its coverage since it covers only wages.

S. 812 provides a tax credit equal to ten percent of the qualifying expenses. Senator Javits' amendment to S. 3249 provides for a tax credit based on a sliding scale as follows:

(1) 75% of the qualifying wages paid during the first 6 months of employment;

(2) 50% of the qualifying wages paid during the second 6 months of employment;

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[1] This of course is in addition to the tax saving resulting from deducting the $1,000 training expenses in computing taxable income. Your bill does not disallow any of this deduction.

[2] The employer will realize the full $100 benefit since your bill does not require the employer to include this payment in his income, nor does the bill require the employer to reduce the $1,000 deduction he is allowed for the training expenses in computing taxable income.

[3] There is a temporary limitation on the carryback provision, however, because the bill provides that the unused credit may not be carried back to any year prior to 1967.

(3) 25% of the qualifying wages paid during the second year of employment.

The following example illustrates the tax benefits that would be derived from the tax credit proposal in S. 812 and Amendment No. 679.[1]

ILLUSTRATION OF AMOUNTS OF TAX CREDITS PROVIDED UNDER S. 812 AND UNDER SENATOR JAVITS' AMENDMENT TO S. 3249 FOR EMPLOYEES RECEIVING WAGES AT AN ANNUAL RATE OF $4,000 FOR DIFFERENT PERIODS OF TRAINING

	Employee trained for 6 months	Employee trained for 1 year	Employee trained for 2 years
Tax credit under S. 812	$200	$400	$800
Tax credit under Senator Javits' amendment to S. 3249	1,500	2,500	3,500

The amounts under S. 812 were computed simply by multiplying the wages by 10 percent. The total wages of $8,000 for the two-year period, for example, were multiplied by 10 percent to derive a tax credit equal to $800. The amounts under Senator Javits' proposal were computed as follows:

(a) For the 6-month period:
$2,000 × 75 percent = $1,500

(b) For the 1-year period:
$2,000 × 75 percent = $1,500
2,000 × 50 percent = 1,000
2,500

(c) For the 2-year period:
$2,000 × 75 percent = $1,500
2,000 × 50 percent = 1,000
4,000 × 25 percent = 1,000
3,500

Since the tax credit proposal provided by Senator Javits' amendment is very liberal, particularly for the early period of employment, it may be helpful to compare the overall tax benefit provided by the amendment and also by S. 812.

As noted above, under both proposals, the tax credit would be allowed in addition to the currently allowed deduction from income for the amount of the expenses. (The table below compares this overall tax benefit provided by the amendment and S. 812.) In compiling the table, we assumed training expenses equal to $4,000 for one year in order to compare the actual tax savings under both proposals. The illustration uses a small corporation and a large corporation. Additional comparisons could be made by including unincorporated businesses.

ILLUSTRATION OF FEDERAL CORPORATE INCOME TAX SAVINGS TO EMPLOYERS WHO INCUR $4,000 EMPLOYEE TRAINING EXPENSES, AS PROPOSED (I) UNDER S. 812, AND (II) UNDER SENATOR JAVITS' AMENDMENT NO. 679 TO S. 3249

I. UNDER S. 812

	Corporation with $50,000 gross income		Corporation with $500,000 gross income	
	Incurs no training expenses	Incurs $4,000 training expenses	Incurs no training expenses	Incurs $4,000 training expenses
A. Tax liability computations:				
Gross income	$50,000	$50,000	$500,000	$500,000
Less deductions except for training expenses	25,000	25,000	250,000	250,000
Subtotal	25,000	25,000	250,000	250,000
Less training expenses	0	4,000	0	4,000
Taxable income	25,000	21,000	250,000	246,000
Tax liability before tax credit	5,500	4,620	113,500	111,580
Less tax credit for training expenses	0	400	0	400
Tax liability after tax credit for training expenses	5,500	4,220	113,500	111,180
B. Tax savings attributable to:				
Deduction for training expenses	0	880	0	1,920
Tax credit for training expenses	0	400	0	400
Total	0	1,280	0	2,320

II. UNDER SENATOR JAVITS' AMENDMENT NO. 679 TO S. 3249

A. Tax liability computations:				
Gross income	$50,000	$50,000	$500,000	$500,000
Less deductions for training expenses	25,000	25,000	250,000	250,000
Subtotal	25,000	25,000	250,000	250,000
Less training expenses	0	4,000	0	4,000
Taxable income	25,000	21,000	250,000	246,000
Tax liability before tax credit	5,500	4,620	113,500	111,580
Less tax credit for training expenses	0	2,500	0	2,500
Tax liability after tax credit for training expenses	5,500	2,120	113,500	109,080
B. Tax savings attributable to:				
Deduction for training expenses	0	880	0	1,920
Tax credit for training expenses	0	2,500	0	2,500
Total	0	3,380	0	4,420

From the preceding table, several general observations can be made:

(1) The deduction for training expenses provides a larger tax benefit for the larger corporation than for the small corporation. This is not due, however, to any differences in the two proposals, but rather results from the difference in the tax rates applicable under current law to the small and large corporations.[2]

(2) The tax credit does not vary according to the size of the corporation. The table shows that under S. 812 training expenses amounting to $4,000 will provide a tax credit equal to $400 for the small corporation as well as the large corporation. Similarly, Senator Javits' amendment to S. 3249 provides a tax credit equal to $2,500 for both the small and large corporation.

(3) The tax saving provided by Senator Javits' amendment is substantially more liberal than that provided under S. 812. In fact, the large company derives a tax saving in excess of the amount expended for training expenses. The large company, in our illustration, reduces its tax liability by $4,420 as a result of training expenses equal to $4,000. It should be noted here, however, that the tax credit is diminished considerably (to 25 percent of the training expenses) in the second year of employment of the employee; and then is no longer granted after two years.

Certain additional observations that are not illustrated in our table can also be made. Senator Javits' amendment would generally provide a substantially larger tax credit than S. 812 for the same amount of qualifying expense. However, due to certain restrictions and limitations, fewer expenses may qualify for the credit under the amendment than under S. 812. This could reduce, or possibly eliminate in some situations, the advantage of the higher percentage tax credit allowed under the amendment.

S. 812 allows a tax credit for wages, tuition fees, and related expenses, while Amendment No. 679 limits the tax credit to wages. The amendment sets forth other limitations which are not included in S. 812. The amendment limits the credit to expenses incurred during the first two years of employment of the trainee. It also limits the number of employees for which the employer may take a tax credit. The ceiling varies, depending on the total number of employees in the company. The amendment also disallows the tax credit if a full period of employment is not completed by the employee (except for reason of death or disability). If the employee who is receiving the qualifying wages terminates his employment during the first 6 months, the wages paid during the period of less than 6 months will not qualify for the credit. Similar limitations are provided for the second 6-month period and for the second year of employment.

[1] Neither proposal disallows a deduction for the training expenses in computing taxable income.

[2] For the same size deduction, a corporation with less than $25,000 taxable income derives a smaller tax benefit than a corporation with more than $25,000 income. The larger corporation (which is taxed at a rate of 48 percent on income over $25,000, derives a tax saving equal to $48 for each additional $100 deduction. The small corporation (which is taxed at a rate of 22 percent) derives a tax saving of only $22 for a $100 deduction. Owners of unincorporated businesses would derive varying tax benefits depending on their so-called "tax brackets." For example, a married taxpayer with taxable income of $15,000 is in the 25 percent tax bracket (i.e. 25% is the highest marginal tax rate at which any of his income is taxed) would derive a tax saving equal to $25 for an additional $100 deduction.

JOB OPPORTUNITIES ACT OF 1968

Findings

Sec. 2. (a) In certain urban and rural areas in the U.S., a substantial problem of unemployment and underemployment exists. Citizens are unable to obtain or retain productive jobs due to their lack of education, occupation skills or work experience and/or as a result of automation or artificial barriers. The problem is aggravated by sizable and continuous migrations from rural to urban areas.

Sec. 2. (b) Purpose of this Act would be to provide incentives to American business to train and employ the unskilled, to upgrade skills of the employed, and to provide employment and training in public services.

TITLE I—HUMAN INVESTMENT JOB TRAINING

Sec. 101. Would provide incentives to American business to hire and employ the unskilled, and to upgrade employed workers for new job opportunities.

Definitions

Sec. 102. (a) "Employer" would mean any private person, corporation, firm, or business concern employing more than ten individuals, or public corporation or institution engaged in trade, business or health or educational services.

(b) "Employee training expenses" would mean:

(1) Wages or salaries of employees who are apprentices.

(2) Wages or salaries of employees who are enrolled in on-the-job training pursuant to the MDTA.

(3) Wages or salaries of employees who are in a cooperative education program, involving either

(a) An area vocational education school

(b) A technical institution or vocational school

(4) Tuition and course fees paid or incurred by employer to:

(a) An area vocational education school

(b) A technical institution or vocational school

for instruction necessary and related to any individual's initial employment or continued employment in a position requiring additional skills.

(5) Home study course fees paid or incurred by an employer, necessary and related to an individual's initial employment or continued employment in a position requiring additional skills.

(6) Employers' expenses related to job training, such as classroom instruction, purchase of books, testing and training materials, classroom equipment and instructor's fees.

(7) Employers' expenses related to job training actually provided by other employers, to the extent that such training expenses would be allowable if incurred by employers directly.

(8) Expenses of training provided by a business or trade association, joint labor-management committee, or other non-profit association for training an employee or prospective employee in job skills necessary and related to his initial employment or continued employment in a position requiring additional skills.

EXHIBIT 3

S. 3063—EMERGENCY EMPLOYMENT AND TRAINING ACT OF 1968

Sec. 2. (a) Similar to Job Opportunities Act of 1968.

At the same time, there is a great need for additional community services and facilities. Where possible private employers should provide the training and services necessary to enable the unemployed and underemployed to fill jobs in the private sector.

Sec. 2. (b) Purpose of this Act would be to provide public and private opportunities in community service to relieve unemployment and underemployment and to provide incentives to private employers (other than non-profit) to hire, train, and employ low income and unemployed persons residing in areas of severe unemployment and underemployment.

TITLE II—PRIVATE ENTERPRISE EMPLOYMENT AND TRAINING

Definition

Sec. 201. "Employer" would mean any private person, corporation, firm, or business concern employing more than ten individuals in a trade or business.

S. 3249—NATIONAL MANPOWER ACT OF 1968

TITLE I—AMENDMENTS TO THE MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962

Sec. 101. Section 101 of the M.D.T.A. is amended to read as follows:

Sec. 101. (a) and (b) Similar to Sec. 2(a).

Sec. 101. (c) Would establish a comprehensive national policy to assure all citizens an opportunity for useful work and training. This policy would be founded on the following principles:

(1) Private enterprise has the basic responsibility and maximum ability to provide job training and employment.

(2) Government assistance should encourage and complement private efforts through education, training, job development, upgrading skills and supportive assistance.

(3) Government's responsibilities shall include the development of meaningful employment opportunities in public service to fulfill critical needs and relieve unemployment would recognize the fact that numerous individuals, because of age, poor health or other disability cannot be helped through employment or training programs and should be given some form of income maintenance.

EXHIBIT 3—Continued

JOB OPPORTUNITIES ACT OF 1968

(c) "Organized job training" would mean training according to approved plans containing:

(1) Title and description of job objectives

(2) Length of training period

(3) List of tasks to be learned, and approximate length of time to be spent on each

(4) Wage paid at beginning of training, at each step, and at conclusion of training

(5) Entrance salary paid to employees already trained for comparable work

(6) Number of hours of supplemental related instruction required

Grants to encourage training

Sec. 103. Would authorize Secretary of Labor to make grants to employers to pay up to 25% of their training expenses.

Limitations

Sec. 104. (a) No grants would be made unless employer's application contains all information and is submitted in time and manner deemed necessary by Secretary of Labor.

(b) No grant would be made except where employers' employee training expenses are deductible from Federal income taxes under section 162 of Internal Revenue Code of 1954 as trade or business expense. Comparable training expenses for individuals not employed by employers would be allowed in determining amount of grant to employers.

(c) No grants would be made for training in—

(1) Management supervisory, professional or human relation skills.

(2) Scientific or engineering courses creditable to a baccalaureate degree.

(3) Vocational or recreational courses as determined by the Veterans' Administrator.

(4) Subjects not related to individual's employment or prospective employment.

This subsection would not apply to:

(a) Apprenticeship courses.

(b) Courses preparing students as technicians at a semiprofessional level.

(c) Training provided in conjunction with a State's unemployment compensation law.

(d) No grants would be made to an employer who has already been reimbursed for training expenses.

(e) No grants would be made for training in a foreign country.

(f) No grant would be made to cover training expenses of individuals enrolled in both an area vocational education school and technical institution, or vocational school, but grants would be applicable to expenses of individual trained in one of these programs.

Coordination with Federal income tax laws

Sec. 105. A grant received by an employer—

(1) Would not be included in his gross income.

S. 3063—EMERGENCY EMPLOYMENT AND TRAINING ACT OF 1968

Training Plan

Sec. 203. No financial assistance would be provided until approval by the Secretary of a plan submitted by an employer revised from time to time and including:

(1) Description of eligible areas from which participants would be recruited

(2) Description of methods used to recruit including specific eligibility criteria

(3) Title and description of job objectives.

(4) Identical to sec. 102(c) (2–6).

(5) Identical to sec. 102(c) (2–6).

(6) Identical to sec. 102(c) (2–6).

(7) Identical to sec. 102(c) (2–6).

(8) Identical to sec. 102 (c) (2–6).

(9) Information as to cost of usual training and service provided employees other than those eligible under this Act, to make such employees productive

(1) Committment to meet requirements of Title III (General Provisions and Limitations)

Financial assistance

Sec. 202. Would authorize the Secretary to provide financial assistance to employers for training and employment costs incurred pursuant to an approved plan under section 203, including:

(1) Cost of unusual training and services during period of trainees marginal productivity.

(2) All or part of employer costs of recruitment of unemployed or low income persons.

(3) Payments to permit employers to provide transportation to and from work or to reimburse employees for costs of such transportation.

(4) Unusual overhead costs incurred as result of employee's lack of education, training or experience.

Safeguards

Sec. 204. Secretary would prescribe regulations to prevent abuses of incentives, such as using such incentives to transfer enterprise to another area, or as subsidy for normal operations.

S. 3249—NATIONAL MANPOWER ACT OF 1968

EXHIBIT 3—Continued

JOB OPPORTUNITIES ACT OF 1968	S. 3063—EMERGENCY EMPLOYMENT AND TRAINING ACT OF 1968	S. 3249—NATIONAL MANPOWER ACT OF 1968
(2) would not be treated as reimbursement for expenses in his trade or business for Federal income tax purposes.		
Authorizations		
Sec. 106. (a) authorized to be appropriated for fiscal year 1969, $450,000,000; fiscal year 1970, $600,000,000; fiscal year 1971, $750,000,000.	Sec. 308(b) Authorized to be appropriated for fiscal year ending June 30, 1969 and for each succeeding fiscal year such sums as may be necessary to employ—	
(b) Appropriation authorized would be available until expended.	(1) 150,000 participants on or before June 30, 1969.	
Sec. 107. This title may be cited "Human Investment Act."	(2) 300,000 participants on or before June 30, 1970.	
	(3) 600,000 participants on or before June 30, 1971.	
	(4) 1,200,000 participants on or before June 30, 1972.	
	Sec. 308(c). Identical.	
TITLE II. COMMUNITY EMPLOYMENT AND TRAINING	TITLE I. COMMUNITY EMPLOYMENT AND TRAINING	
Statement of purpose		
Sec. 201. Would provide employment opportunities in public service to relieve unemployment.		Sec. 103. The Manpower Development and Training Act of 1962 is amended by adding at the end a new Title IV—Community Service Employment Program.
		Purpose
		Sec. 401. Would provide public and private employment opportunities in community service occupations for unemployed and low income residents of urban and rural areas. Would prepare persons for jobs in private sector, increase opportunities for local entrepreneurship by creating local service companies and meet national needs for community services.
Definitions		*Definitions*
Sec. 202. (1) "Community employment and training programs" would be designed to create employment opportunities in public service operated by State and local public agencies and nonprofit private organizations. Would include strengthening of already existing programs.		Sec. 402. (1) "Community Service employment programs" would be programs providing public or private work and training opportunities to unemployed and low-income persons in public service.
(2) "Low-income persons" would be defiend by Sec. 125 of Economic Opportunity Act of 1964.		(2) "Low-income" identical to Sec. 202 (2) [Col. 1].
(3) "Heads of families" would be persons who contribute more than ½ the support of 1 or more persons.		(3) "Local service company" would mean a corporation, partnership, or other business entity organized to operate a community service employment program owned in part by unemployed or low income residents of 1 or more eligible areas.
(4) "Urban area" would be any metropolitan area as defined by the Demonstration Cities and Metropolitan Development Act of 1966.		(4) "Secretary" would mean the Secretary of Labor.
		(5) "State" would mean each of the States and D.C.
		(6) "State agency" would be the agency designated by the Governor of each State or officer chosen by him to develop and carry out the State plan for these purposes.
(5) "Rural area" would mean any area within a State not defined as urban area by the Demonstration Cities Act, and in which there is no city which exceeds 50,000 inhabitants.		
(6) "Secretary" would mean Secretary of Labor.		
(7) "States" would mean each of the States and District of Columbia.		
(8) "State council" would mean State Manpower Coordinating Council or an existing agency composed of not more than 20 persons designated to represent the manpower and training resources of the State, including representatives of manpower training, vocational education, apprenticeship, welfare, poverty and agriculture programs, and the general public.		
Eligible areas	*Eligible areas*	*Eligible areas and prime sponsors*
Sec. 203. (a) Eligible areas would contain high concentrations or proportions of low-income families and individuals, and would have severe problems of unemployment and underemployment, or substantial emigration of individuals from rural to urban areas.	Sec. 301. Similar except provisions apply to both community employment and training and private employment and training.	Sec. 404. (a) Eligible areas would be defined as areas having high concentrations or proportions of unemployed or low income persons. A community program area designated under Sec. 121 of Economic Opportunity Act would be eligible. The Secretary would consult with other Federal agencies to establish coterminous or complimentary boundaries for planning purposes.
	Sec. 302. Similar except that participants in both community employment and training, and private employment and training, must be unemployed or low-income persons residing in eligible areas. "Low-income" would be defined by Sec. 125 of the Economic Opportunity Act of 1964.	

EXHIBIT 3—Continued

JOB OPPORTUNITIES ACT OF 1968	S. 3063—EMERGENCY EMPLOYMENT AND TRAINING ACT OF 1968	S. 3249—NATIONAL MANPOWER ACT OF 1968
(b) In declaring areas eligible, consideration would be given to existing boundaries established by State regional planning agencies. In the case of multi-jurisdictional areas, consideration would be given to the views of the chief executive of the State, and also to the boundaries established by existing Federal legislation.		(b) For each eligible area the Secretary would recognize a public or private nonprofit organization as a prime sponsor to receive funds under sec. 405. A prime sponsor recognized under the provisions of sec. 122 of the Economic Opportunity Act would be deemed to be the prime sponsor for its eligible area.
Authorization of Appropriations and Distribution of Funds		*Authorization of Apropriations and Distribution of Funds*
Sec. 204. (a) (1) Authorization of Appropriations—(excludes Sec. 211). Fiscal year 1969, $300,000,000. Fiscal year, 1970, $400,000,000. Fiscal year 1971, $500,000,000.	Sec. 308. (a) And authorized to be appropriated for fiscal year 1969 and for each succeeding year thereafter, such sums as may be necessary to employ:	Sec. 403. (a) fiscal year 1969, $400,000,000. Fiscal year 1970, $500,000,000.
(2) For the purpose of making loans under Sec. 210 there would be authorized to be appropriated. Fiscal year 1969, $50,000,000. Fiscal year 1970, $40,000,000. Fiscal year 1971, $25,000,000.	(1) 300,000 participants on or before June 30, 1969. (2) 600,000 participants on or before June 30, 1970. (3) 1,200,000 participants on or before June 30, 1971. (4) 1,200,000 participants on or before June 30, 1972.	
(3) Appropriations authorized would remain available until expended.	Sec. 308. (c) Identical.	
(b) From the sums appropriated pursuant to section 204(a)(1) for any fiscal year, the Secretary would reserve up to 40% for direct funding of community employment and training programs. He would allot one million dollars to each State, and in allotting the remainder among the States would consider the following:		Sec. 403. (b) From the sums appropriated for any fiscal year, the Secretary would allot not less than 40% among the States according to the criteria pursuant to Sec. 130 of the Economic Opportunity Act of 1964 (similar to Sec. 204(b). No State would receive less than $1,000,000. Effective fiscal year 1970, a State's allotment would be available only for use pursuant to a State plan under Sec. 410, unless the responsible State agency has not submitted a State plan prior to date fixed by Secretary, or the State plan is disapproved.
(1) The proportion which the population of a State bears to the population of all the States		
(2) The proportion which the average family income of a State bears to the average family income in all States		
(3) The proportion which the unemployed in a State during the preceding calendar year bears to the number of unemployed in all States during the preceding calendar year.		
(c) Beginning as soon as possible, but no later than Jan. 1, 1969, the Secretary would provide funds to the States under this title, or $1,000,000 whichever would be greater directly to the State Council in each State having an approved State plan. Any portion of a State's allotment, for any fiscal year, which the Secretary determines would not be required for the period for which the allotment was made, would be available after the first nine months in such year for grants pursuant to sec. 205, but only after the Secretary had furnished such State with 30 days prior notice of his intent to make such a determination.		(c) Remaining sums appropriated for any fiscal year would be expended according to criteria prescribed by the Secretary.
(d) Of the funds available to a State Council, not more than 50% could be used to implement community employment and training programs conducted by State agencies.		(d) Funds allotted for use by a State agency and not expended for the purposes allotted, would be made available to prime sponsors within the State.
(e) In a State which had not submitted, or had its plan approved, funds allocated to that State would be made available to qualified applicants in that State pursuant to sec. 205.		
(f) Not more than 12½% of sums appropriated for any fiscal year to carry out the provisions of this title could be used within any one State.	*Distribution of assistance* Sec. 307. The Secretary would establish criteria to achieve equitable distribution of funds appropriate under this act among States, but not more than 12½% of such funds for any fiscal year would be used within one State.	
Financial Assistance		*Financial Assistance*
Sec. 205. (a) From funds reserved pursuant to Sec. 204(b), the Secretary would be authorized to provide assistance to public agencies and nonprofit private organizations with approved applications and (b) State councils whose plans were approved, to pay part or all the costs of community employment and training programs.	Sec. 101. (a) Secretary would be authorized to provide financial assistance in urban and rural areas for part or all costs of programs providing public services and employment opportunities for unemployed or low-income persons.	Sec. 405. (a) Would authorize the Secretary to provide financial assistance to prime sponsors and State agencies whose plans for community service employment programs have been approved.
(c) Financial assistance would include but is not limited to public service and community activity job opportunities. Jobs include:	Sec. 101 (a)(1). Identical.	(b) Financial assistance would include, but not be limited to activities designed:
(1) Those immediately available to the unemployed.		(1) To provide jobs.
		(2) To provide placement services and resources for persons completing training pro-

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(2) Those providing placement opportunities for persons completing training under Titles I & V of the Economic Opportunity Act and other training programs.

(3) Those utilizing skills of the unemployed in areas of labor surplus.

To the extent possible, programs would be designed to place persons in private employment and to encourage private employers to make such jobs available.

(d) Up to 25% of available funds could be used for training under the M.D.T.A., Eco. Oppor. Act (Title I, Pt. B) or other relevant programs if these would be a more effective means of preparing individuals for employment.

State Plans

Sec. 206(a) A State desiring to receive payments for any fiscal year would have to:

(1) Set dates as to when applications must be received from State agencies, local Comprehensive Area Manpower Planning System agencies (CAMPS), and community action agencies eligible under sec. 122 of the Economic Opportunity Act, for grants to operate community employment and training programs in areas as defined under Sec. 203.

(2) Review applications.

(3) Prepare and submit plans through the Chief Executive.

(4) Develop and maintain information on the State's unemployed and underemployed workers, present and future employment opportunities, and a means of bringing the two together.

(5) Provide planning and technical advice to applicants and grantees.

(6) Improve communications between manpower programs to facilitate coordination, and make recommendations as to how such programs may be combined or more efficiently funded.

(b) The Secretary would approve a State plan or a modification of an existing State plan if it sets forth:

(1) A community employment and training program;

(2) Administrative procedures.

(3) Criteria for equitable distribution of assistance based on:

(A) Geography and density of population.

(B) Proportions of unemployed/underemployed and low income persons.

(C) Job opportunities in private enterprise.

(D) Movement of unemployed, underemployed or low-income persons to and from such areas.

(4) Coordinates and consolidates community employment and training programs with similar programs.

(5) Provides for annual review, evaluation, and dissemination of program information.

(6) Sets forth policies and procedures assuring that Federal funds under this Title for each fiscal year would be used to supplement or increase the State's expenditures,

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SEC. 101(a)(3) Identical.

SEC. 101(b) Secretary would provide financial assistance through prime sponsor designated by Economic Opportunity Act. However, assistance may be directly provided to other public and private nonprofit organizations if determined that such assistance would enhance program effectiveness, or acceptance by persons served.

SEC. 101 (a) (2) Funding would be provided for the establishment of activities, assuring persons employed in such jobs, opportunities for further education, training, and supportive services to prepare them for regular employment. Up to 20% of funds could be used to carry out training programs under MDTA, Economic Opportunity Act (Title I, Pt. B) or other relevant programs if determined that these most effectively assure the provision of such activities.

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grams assisted by Federal funds, particularly programs under Title II of this Act, and the Economic Opportunity Act.

(3) To assure persons employed in community service employment programs would be provided opportunities for further education, training, and supportive services, including rehabilitative and preventive services for narcotic and alcoholic addicts.

(4) To promote establishment of local service companies.

For the purposes of carrying out paragraph (3) of this subsection, funds appropriated under this title could be used to carry out service programs under other titles of this Act and under other provisions of Federal law. Other Federal agencies may be reimbursed if the use of such funds would be the most effective means of providing services. Financial assistance under this section would include loans for purchase of supplies and equipment necessary to carry out community and employment program.

(C) The Secretary or State Agency could provide financial assistance to a public agency or private organization other than a prime sponsor, if determined that such assistance would enhance program effectiveness or acceptance.

State Plans

Sec. 410. (a) (1) Any State desiring to receive financial assistance to carry out a State plan under this title (Community Service Employment Program) would:

(A) Establish a State manpower policy council;

(B) Set dates before which prime sponsors and applicants must apply to State agency for financial assistance;

(C) Submit to Secretary a State plan.

(2) State Council would:

(A) Be appointed by the State agency and be representative of job training and employment resources of the State.

(i) Prime sponsors within State.

(ii) State and local public agencies familiar with employment and vocational programs.

(iii) Private organization.

(iv) Residents of areas and programs served.

(v) Other appropriate organizations.

(B) Develop and implement State plan including: Development of criteria for approval of applications under State plan.

(C) Where requested, review rejection of application for applicants.

(D) Evaluate program.

(E) Prepare and submit through State agency a report, recommendations and evaluation to the Secretary.

(3) Secretary would not approve State plan unless such a plan:

A. Identical to 206(b)(3).

B. Assets prime sponsors in coordination and consolidation of community service employment programs.

C. Reflects achievement by State in coordinating and consolidating community service employment programs with programs assisted by other provisions of Federal law.

D. Provides for exchange of information, for evaluation and for communication of results to the Secretary.

E. Provides that final action with respect to an application would not be taken without affording applicant notice and opportunity for hearing.

F. Provides for maximum of 25% of funds to be received by State agencies to carry out community service employment programs—the remainder distributed to prime sponsors except as provided in Sec. 405(c).

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which would be necessary in the absence of these Federal funds.		G. Conforms to requirements of this Title.
(7) Provides for fiscal control.		(b) If the Secretary should approve only part of a State's plan, it would receive an amount necessary to carry out that portion of its approved plan. The remaining amount which the State agency would be eligible to receive would be made available to the prime sponsors or other applicants.
(8) Provides for annual report and records of evaluation.		
(9) Before final action on an application or modification of an application each applicant would have an opportunity for a hearing.		
(C) Secretary could not disapprove a State plan without first affording the State Council on opportunity for a hearing.		(c), Before disapproving any State's plan the Secretary would first afford that State reasonable notice and opportunity for hearing.
Applications	*Employment, training, and placement plan*	*Applications*
Sec. 207. (a) Grants, pursuant to an approved State plan, could be made upon application by the prime sponsor to the State Council or to the Sec'y. Applications would have to contain:	Sec. 102. No financial assistance would be provided until approval by the Sec'y of a plan submitted by the eligible sponsor, containing:	Sec. 406. Secretary could provide financial assistance upon application by a State agency, pursuant to an approved State plan, a prime sponsor, pursuant to an approved community employment plan, or another eligible applicant if assurance is given that:
(1) Assurance that applicant would supervise activities and would identify agencies operating program.	(1) Description of eligible areas, including data indicating number of potential participants, their income and employment status.	(1) Adequate administrative controls would be established.
(2) Priority given to heads of households.	(2) Description of methods to be used for recruitment and selection of participants and specific eligibility criteria.	(2) Effective personnel policies would be established.
(A) Description of methods to be used for recruitment and selection of participants.	(3) Identical.	(3) Procedures for proper accounting, reporting and evaluation be established.
(B) Description of jobs, skills, and duration for which participants would be assigned.		
(C) Wages or salaries to be paid to participants in comparison to prevailing wages for comparable work.	(4) Identical.	(4) Would carry out other established requirements.
(D) Education, training, and supportive services offered to prepare participants for regular employment.	(5) Identical.	
(E) Placement activities and future job opportunities for participants.	(6) Identical.	
(F) Indication of participation and cooperation expected of local public officials, residents of eligible areas and representatives of business and labor in developing and administering programs.	(7) Similar.	
(3) Procedures for coordination at local level with other Federally assisted programs.	(8) Procedures for coordination at local level with other Federally assisted programs, under M.D.T.A. Equal Opportunity Act, Economic Development Act, Demonstration Cities and Metropolitan Development Act of 1966 and other relevant Federal legislation.	
(4) Assure that Federal funds made available under this Title for any fiscal year would be used to supplement or increase the level of expenditure which would be necessary in the absence of Federal funds in the area involved and assure that the Federal funds would not be used to supplement Federal funds granted pursuant to sec. 201.	(9) Commitment to meet requirements and special conditions set forth in Title III of this Act.	
(5) Provide, in the case of an application made directly to the Secretary, adequate procedures to assure the application had been submitted to the appropriate State council at least 30 days prior to the submission of such application to the Secretary.		
(6) Procedures for fiscal control to assure proper disbursement of funds paid to applicant.		
(7) Provision for annual report.		
(b) Modifications in applications could be approved only if consistent with provisions of this Title and requirements set forth in subsection (a).		
Special conditions	*Special conditions*	*Special conditions and limitations*
Sec. 208. (a) No financial assistance could be provided unless it was determined by the secretary, or State Council that:	Sec. 303. (a) Sec'y would not provide financial assistance for any program under Title I or II this act unless he determined:	Sec. 411. (a) Secretary would not provide financial assistance for any program under this title (Community Service Employment Program) unless he determines:
(1) No participant would be employed on projects involving poltical parties, or facilities used, or to be used, for sectarian construction or religious worship.	(1) Identical.	(1) Identical to 208(a)(1).
(2) Program would not result in displacement of employed workers or impair existing employment contracts or substitute Federal funds for private expenditures for work which would otherwise be performed.	(2) Identical.	(2) Identical to 208(a)(2).
(3) Wages paid participant would not be lower than—	(3) Identical.	(3) Identical to 208(a)(3).
(A) Minimum wage under Fair Labor Standards Act of 1938.		

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(B) State or local minimum wage for comparable work. (C) Prevailing rate of wages in area for similar work.		
(4) Program would contribute to occupational development or upward inability of participants.	(4) Identical.	(4) Identical to 208(a) (4).
(b) For programs relating to physical improvements, preference would be given to improvements which would be used by low income persons and families in eligible areas.	(4b) Identical.	(b) For programs of community service and employment related to physical improvements, preference would be given to improvements which would be used by low-income persons and families in areas served by the prime sponsor.
		(c) Similar to 208(c).
(c) Programs under this title would have to contribute to the extent feasible to the elimination of artificial barriers to employment and occupational advancement.	(4c) Secretary would prescribe regulations to assure programs have adequate internal administrative controls, accounting requirements, personnel standards, and evaluation procedures.	(d) Federal financial assistance to any program under this title, to a public agency or private nonprofit organization, would not exceed 90% of cost provided that Federal assistance to a participant under this title, who is employed by a State or local public agency, would be progressively reduced from year to year to cause public agency to assume greater portion of necessary financial contributions.
	(4d) Identical.	
Withholding		*Withholding*
Sec. 209. If the Secretary determines after hearings that the applicant or State Council has failed to comply with any requirement, he shall terminate financial assistance.		Sec. 414. Similar to Sec. 209.
Loans		
Sec. 210. (a) Secretary would be authorized to make loans to public and private organizations for purchase of supplies and equipment supporting a community employment and training program.	*Supplies and equipment* Sec. 103. (a) Secretary would be authorized to provide financial assistance, and make loans to public agencies and private nonprofit organizations for purchase of supplies and equipment supporting and supplementary projects.	
(b) Loans under this section would be made without interest and under such terms and conditions as Secretary would prescribe.	Sec. 103. (b) Identical.	
Administration	*Evaluation*	*Administration*
Sec. 211. (a) In administering this title, the Secretary would be authorized to utilize services and facilities of any Government agency, or other public or private nonprofit institution in accordance with agreements between the Secretary and heads of agencies.	Sec. 304. Secretary would require sponsors of community employment and training programs, and private employers provided assistance, to evaluate program effectiveness. He would arrange for obtaining the opinions of participants concerning programs and may contract for independent evaluations. Results of evaluations must be included in reports required by section 305.	Sec. 413. (a) Secretary would provide for administration of all community service employment programs within a single office or agency within the Department of Labor.
(b)(1) The Secretary would pay to each applicant and State Council whose application or plan has been approved the amount necessary to carry out cost of program.		(b) Similar to Sec. 211(a) (b)(1) and (2).
(2) Payments would be made in advance, installments, or by means of reimbursements.		(c) Similar to Sec. 211(a) (b)(1) and (2).
Reports	*Reports*	*Reports*
Sec. 212. Secretary would submit to Congress on or before May 15, 1969 and November 15, 1969 a report, including recommendations for additional legislation and a similar report would be made on or before May 15, and November 15 of each year thereafter.	Sec. 305. Secretary would submit to President for transmittal to Congress on or before March 1 of each year a report of progress made in implementation on all activities under this Act.	Sec. 415. (a) and (b) similar to Sec. 304, 305 of S. 3063.
	Duration of programs	
	Sec. 306. From fiscal year 1969 through fiscal year 1972.	
	No provisions.	TITLE V. ECONOMIC OPPORTUNITY CORPORATION
		Sec. 501. This title would be cited as the Economic Opportunity Corporation Act of 1968.
		Findings and purpose
		Sec. 502. (a) Congress finds—
		(1) The conditions of urban and rural poverty threatening the welfare and security of the Nation.
		(2) Any successful effort to eliminate poverty must involve private resources.
		(3) Individuals and organizations in the private sector would be willing to contribute to solutions of these problems, but lack a central source of information, technical assistance, and seed money.
		(4) Federal government can facilitate involvement of the private sector, but organization and control of the program should be left in private hands.
		(b) Purpose of this title would be to establish a private, nonprofit corporation to stimulate greater participation by the private sector in public and private manpower training and antipoverty programs by:

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(1) providing a central source for information and research.

(2) furnishing technical and financial assistance.

(3) Participating on a contractual or other basis, in developing and implementing Government antipoverty programs with a view to encouraging the role of the private sector.

(4) Encouraging and coordinating efforts with private business firms to make available training programs and employment opportunities for unemployed and low-income persons.

(5) Encouraging development of businesses providing needed products and services, and increasing local business ownership in urban slum areas.

(6) Developing methods of applying modern business management techniques to social problems and encouraging increased participation by private enterprise.

Creation of corporation

Sec. 503(a) Would establish a nonprofit Economic Opportunity Corporation which would not be an establishment or agency of the U.S. Government. The Corporation would be subject to the provisions of this title and the District of Columbia Nonprofit Corporation Act. The right to repeal, alter or amend this title would be expressly reserved.

Job vacancy and labor supply information

Sec. 102. Sec. 106 of the Manpower Development and Training Act of 1962 would be amended to read as follows:

Job vacancy and labor supply information

Sec. 106. (a) Secretary of Labor would be directed to develop, compile and make available information regarding skill requirements, occupational outlook, job opportunities, labor supply in various skills, and employment trends on a national, State or area basis to be used in the educational training, counseling and placement activities under this Act.

(b) Secretary would develop and establish a program for matching qualifications of unemployed, underemployed and low-income persons with employer requirements and job vacancies on a local, interarea and nationwide basis. Electronic data processing and telecommunications networks would be established.

Local service companies

Sec. 407. (a) Secretary and State agencies would be given preference to applications for community service employment programs from local service companies. Contracts may provide for financial incentives to be paid to such companies for satisfactory and superior performance of programs.

(b) Secretary would be authorized to provide financial assistance to public agencies or private organizations to act as service development organizations. Financial assistance may include cost of programs, including, but not limited to:

(1) Planning and research.

(2) Legal and technical assistance.

(3) Financial assistance.

A service development organization may acquire a minority interest in a local service company, and deal with such company on a profitmaking basis.

(c) Secretary and State agencies could make use of services of other Federal agencies and from private organizations in developing local service companies and service development organizations.

Public safety programs

Sec. 408. (a) Secretary would be authorized to provide financial assistance for community service employment programs in pub-

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lic safety. Programs may include development of employment and training opportunities for community service officers who need not meet ordinary police standards for employment and who will be engaged in:

(i) Recruitment of police personnel.

(ii) Improvement of police-community relations.

(iii) Community escort and patrol.

(iv) Encourage neighborhood participation in crime prevention.

(v) Other activities designed to improve public safety.

(b) Secretary and Attorney General would prescribe regulations governing program.

Consolidation of community service employment programs and community employment plans

Sec. 409. (a) Secretary would make arrangements to assure prime sponsor in any eligible area receives all Federal funds available for community service employment programs under all applicable Federal legislation, except as otherwise provided by Sec. 123(c) of the Economic Opportunity Act. In areas in which a comprehensive city demonstration plan, under the Demonstration Cities Act would be in effect, the prime sponsor and city demonstration agency would consult and coordinate training aspects of the city demonstration program.

(b) Prime sponsor would develop and carry out a community employment plan, which should be part of any comprehensive work and training program for that area required under Sec. 123 of the Economic Opportunity Act. All funds received by prime sponsor pursuant to a community employment plan would be subject to a plan approved by the Secretary.

(c) No community employment plan would be approved by Secretary until Governor of that State had had a reasonable opportunity to submit to the Secretary his evaluation of the plan.

(d) Prime sponsor should provide for participation of employers, labor, and residents of eligible areas in planning and conduct of community service employment program.

(e) If a community service employment program would be operated by a prime sponsor other than a local service company public and private agencies should be used.

Industrial employment pool

Sec. 412. The Secretary would establish procedures giving preference to qualified participants in community service employment programs, assisting them in entering programs operated by him, which offer on-the-job training and employment opportunities in the private sector.

Sec. 503. (b) No part of the net earnings of the Corporation would inure to benefit any private person. The Corporation would qualify as an organization described in sec. 501(c)(3) of the Internal Revenue Code of 1954 which would be exempt from taxation under sec. 501(a).

Process of organization

Sec. 504. Would establish a Commission composed of the Vice President as Chairman, Speaker of the House of Representatives, Director of the Office of Economic Opportunity, Secretary of Labor, Secretary of Commerce and the majority and minority leaders of the Senate and House of Representatives to meet 30 days after the Title's enactment to appoint incorporators, who with the advice and consent of the Senate would serve as the central Board of Directors. The incorporators would organize the Corporation.

Directors and officers

Sec. 505. (a) The Corporation would have a Board of Directors consisting of 15 individuals, who would be citizens of the U.S.,

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one of whom would be elected annually by the Board to serve as Chairman. Five members of the Board would be appointed by the President, by and with the advice and consent of the Senate, for terms of 3 years.

(1) The terms of the directors first taking office would be effective on the date on which the members of the Board were elected and would expire at the time of appointment, 1 at the end of 1 year, 2 at the end of 2 years, and 2 at the end of 3 years.

(2) A director appointed to fill a vacancy would be appointed for the remainder of his predecessor's term.

Ten members of the Board would be elected annually by members of the corporation.

(b) The Corporation would have a President and other officers, named and appointed by the Board, at rates of compensation fixed by the Board. No officer of the Corporation could receive a salary from any source other than the Corporation while employed by the Corporation.

Membership in the Corporation

Sec. 506. (a) Any person or organization could become a member of the Corporation by:

(1) Purchasing from the Corporation one or more of the debentures referred to Sec. 507(a) or;

(2) Donating to the Corporation money or property valued at least $100.

(b) Each member would have one vote regardless of the amount of debentures held, or amount donated by him to the Coporation.

(c) Any donation to the Corporation would qualify as a charitable contribution within the meaning of Sec. 170 of the Internal Revenue Code of 1954.

Financing the Corporation

Sec. 507. (a) The Corporation would issue bonds, debentures, or other certificates of indebtedness as the Board determines would be required for fulfillment of the purpose of the Corporation.

(b) The Secretary of Treasury would be authorized to make grants to the Corporation to assist it in meeting its organizational expenses and in carrying on its activities. There would be authorized to be appropriated $20,000,000 for the purpose of providing financial assistance. $10,000,000 would be available to the Corporation at its time of incorporation, and additional amounts, not in excess of $10,000,000 would be made available to match donations or purchases of debentures made pursuant to Sec. 506(a). Appropriations authorized under this subsection would remain available until expended.

Activities and powers of the Corporation

Sec. 508. (a) In order to carry out the purposes of this title, the Corporation would be authorized to:

(1) Establish an information and research center on how private individuals and organizations can participate in antislum and antipoverty projects.

(2) Organize educational programs to disseminate information to encourage individuals and organizations to participate in antislum and antipoverty activities.

(3) Provide technical assistance to public and private agencies in planning and operation of programs, including advising U.S. Government representatives as to how to effectively encourage the participation of the private sector in such activities.

(4) Participate and coordinate on a contractual basis in Government programs in support of purposes of this title, including programs providing incentives to private employers to encourage the training and employment of unemployed and low income persons.

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		(5) Stimulate the establishment of, invest in, and operate new and existing business enterprises which, by reason of their location, employment effect, or products or services produced, would ameliorate conditions of poverty. Would include new business enterprises operated for profit by the corporation and enterprises owned by existing firms, organizations, or individuals. (6) Establish one or more subsidiary corporations, including corporations qualifying as small business investment companies under Title III of the Small Business Investment Act of 1958 to invest in or operate such new business enterprises. (7) Provide technical and financial assistance to private lending institutions and other private organizations to stimulate provision of capital to new and existing enterprises located in urban areas of high concentrations of low-income persons or owned by low-income persons. (8) Develop in conjunction with public and private agencies and organizations methods for applying modern business management techniques to social problems, and encouraging private agencies and organizations in providing needed public services. (9) Establish and support new and existing private organizations at the State and local levels to carry out purposes of this title and to mobilize communities to support antislum and antipoverty efforts. (10) Carry on activities furnishing purposes of this title. (b) In performing the function set forth in subsection (a) Commission would be authorized to: (1) Enter into contracts, leases, cooperative agreements and other transactions deemed appropriate. (2) Charge fees deemed reasonable and appropriate. (3) Carry out activities on areawide, State or local basis. (4) Accept and use, with or without reimbursement, services, equipment and facilities of Federal agencies, and State and local governments and such Federal agencies would be authorized to provide with or without reimbursement such services, facilities and equipment to the Corporation. (5) Receive grants and other financial assistance from the U.S., State and local governments, foundations, corporations, organizations and individuals. (6) Exercise powers conferred upon a nonprofit corporation by District of Columbia Nonprofit Corporation Act. *Reports to Congress* Sec. 509. Corporation would submit annually and at times it deems desirable, to the Congress a report of its operations, activities and accomplishments. TITLE VI—EVALUATION AND OVERSIGHT STUDY BY THE COMPTROLLER GENERAL SEC. 601. (a) The Comptroller General would be authorized to direct and conduct a continuing evaluation of all job training, work experience, and employment programs conducted and financially assisted by the U.S. and to assist the Congress in its legislative oversight functions. (b) The evaluation would include— (1) Analytical and statistical breakdown of unemployment and underemployment in the Nation, including information concerning age, race, and geography. (2) Comparison of relative costs and benefits of different types of training and employment programs, including a comparison of— (A) Institutional and on-the-job training. (B) Different types of institutional and on-the-job training.
No provisions.	No provisions.	

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(C) Training for job entry and for job advancement.

(D) Job development programs in community service activities and in regular competitive employment.

(3) Evaluation of job upgrading programs.

(4) Evaluation of the degree of coordination between different job training and employment programs at Federal, State, and local levels.

(5) Evaluation of the degree of effective support provided by Federal-State employment service system to job training and employment programs for unemployed and low-income persons.

(6) Evaluation of administration and management of Federal departments and agencies of job training and employment programs.

(C) The Comptroller General would assist the Congress in its legislative oversight function by:

(1) reporting to Congress annually on efforts and progress made by Federal departments and agencies in complying with and implementing—

(A) Legislation authorizing or extending programs enacted within the 2 year period prior to the issuance of this report.

(B) Instructions contained in reports of relevant Committees of Congress with respect to such legislation.

(2) performing other oversight functions as Congress may require.

Reports

Sec. 602. The Comptroller General would make interim reports as he deems advisable, not later than 60 days after the beginning of each calendar year, to Congress including recommendations for additional legislation.

Powers of the Comptroller General

Sec. 603. (a) The Comptroller General, or any officer of the General Accounting Office, authorized by the Comptroller General could hold hearings and take testimony as he deems advisable.

(b) Each department and agency would be authorized and directed to furnish the Comptroller General information he deems necessary to perform his functions.

(c) The Comptroller General would be authorized to:

(1) appoint and fix compensation of staff personnel he deems necessary without regard to provisions of title V, U.S. Code, and to the provisions of chapter 51, and subchapter III of chapter 53 of such title relating to classification and general schedule of pay rates.

(2) procure temporary and intermittent services to the extent authorized by Sec. 3109 title V, U.S. Code, but at rates not exceeding $100 a day for individuals.

(d) The Comptroller General would be authorized to enter into contracts with Federal or State agencies, private firms, institutions, or individuals for research, surveys, reports and other necessary activities.

Authorization

Sec. 604. There would be authorized to be appropriated such sums as would be necessary to carry out provisions of this title.

Mr. SCOTT. Mr. President, I am pleased to join my able and distinguished colleague from Vermont [Mr. PROUTY], who is the ranking Republican member of the Subcommittee on Employment, Manpower, and Poverty of the Senate Labor and Public Welfare Committee, in introducing the Job Opportunities Act of 1968.

This measure consists of two parts—first, private enterprise job training and development; and, second, public service jobs for individuals who, through no fault of their own, simply are not yet able to obtain a job with private employers.

The first part of our bill permits the Secretary of Labor to pay 25 percent of training costs to private employers who have submitted training applications which have been approved by the Secretary. It is patterned on S. 812, the Human Investment Act, which Senator PROUTY, I, and many other Republican Senators have sponsored.

We recognize that job opportunities with private industry are not readily available in many rural communities in the country or in the centers of many of our cities. Accordingly, the second part of our bill authorizes financial assistance, primarily to the States, but to local communities as well, for the creation of

community employment and training programs in such fields as health, public safety, education, recreation, streets, parks and municipal maintenance, housing and neighborhood improvement, conservation and rural development, and beautification.

Sixty percent of the funds authorized by the second part of our bill would be allotted to State governments in recognition of their important role of planning and coordinating meaningful manpower development and training programs in the many different fields of community service. Forty percent of the funds would be reserved for direct allocation by the Secretary of Labor to local community groups for community service employment programs.

The bill which Senator PROUTY and I introduce today authorizes the expenditure of $3,115,000,000 to assist various job development and training programs over the next 3 fiscal years. The funds are divided approximately 60 to 40 in favor of training by private enterprise. Thus, for fiscal 1969 the bill authorizes $450 million for private enterprise job training and development programs and $300 million for community service employment and training programs.

Mr. President, I hope that the Committee on Labor and Public Welfare, to which this bill is being referred, will give serious consideration to the bill introduced today by Senator PROUTY and myself.

I ask unanimous consent that a memorandum summarizing the contents of our proposal in greater detail be printed at this point in my remarks.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

PROUTY-SCOTT JOB OPPORTUNITIES ACT OF 1968

TITLE I—HUMAN INVESTMENT JOB TRAINING

This Title permits the Secretary of Labor to pay 25% of training costs to an employer of more than ten employees who has submitted a training application which has been approved by the Secretary.

This Title is patterned on S. 812, the Republican-sponsored Human Investment Act. Accordingly, allowable "employee training expenses," as well as the limitations upon grants which the Secretary may make, are the same as in that bill. For example, a reimbursable training expense must be one allowable as a deduction under Section 162 of the Internal Revenue Code relating to trade or business expenses.

Grants to employers are excluded from gross income and are not to be treated as reimbursement for business expenses under Chapter 1 of the Internal Revenue Code.

TITLE II—COMMUNITY EMPLOYMENT AND TRAINING

This Title provides for the creation of public service and community employment and training by the government as an employer of last resort for low income unemployed and underemployed persons residing in eligible rural and urban areas as determined by the Secretary of Labor. Priority is given to heads of families. Rural areas suffering from substantial problems of out-migration are eligible for participation in an attempt to provide meaningful job opportunities in rural areas to residents who otherwise will move to bigger cities.

This Title provides for the creation of a broadly-based State Manpower Coordinating Council which in most States, would probably be the existing CAMPS (Cooperative Area Manpower Planning System) organization. The State Council under a plan approved by the Secretary is permitted to operate and fund State programs directly.

Forty percent of any fiscal year's appropriation is reserved to the Secretary for direct funding of similar programs at the local level. The remaining sixty percent will be allocated to the States by the Secretary and will be made available to a State Council wherever a State plan has been approved. An important provision stipulates that each State will receive at least $1 million, regardless of its allocation.

A State Council may use up to fifty percent of its funds to operate State programs and up to twenty-five percent of its funds to provide supportive services under the Manpower Development and Training Act of 1962 or Title I–B of the Economic Opportunity Act of 1964 (Work and Training for Youth and Adults). The State Council may use the rest of its money to fund approved applications from local prime sponsors designated under Section 122 of the Economic Opportunity Act.

Minimum standards are set for State plans to be approved by the Secretary and also for applications by sponsors which are submitted to either the Secretary or a State Council.

This Title provides the general and usual type of limitations, special conditions and reporting requirements. It permits the Secretary to withhold funds from a State Council if he determines a State plan is not being followed, after giving the Council an opportunity for hearing. The Secretary may fund all programs directly in States not having approved State plans, but no State may receive more than 12½ percent of total appropriations in any fiscal year from the Secretary and a State Council jointly.

The Secretary is authorized to make interest-free loans to public agencies and private organizations for the purchase of supplies and equipment necessary for programs approved under this Title.

AUTHORIZATIONS

This bill authorizes a three-year program. Total authorizations are $750 million for fiscal 1969; $1 billion for fiscal 1970; and $1.25 billion for fiscal 1971.

These are divided approximately 60–40 in favor of training by private enterprise. Thus Title I provides authorizations of $450 million for fiscal 1969; $600 million for fiscal 1970; and $750 million for fiscal 1971.

The specific authorizations for public service jobs under Title II are $300 million for fiscal 1969; $400 million for fiscal 1970; and $500 million for fiscal 1971.

In addition, authorizations for making loans under Title II are $50 million for fiscal 1969; $40 million for fiscal 1970; and $25 million for fiscal 1971. The theory for declining authorizations here is that the need for loans will decrease as these programs get started.

EXTENSION OF AUTHORITY OF EXPORT-IMPORT BANK

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to proceed for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of Virginia. Mr. President, I want to make a few preliminary remarks and then should like to address a unanimous-consent request to the leadership.

The last legislative day was Thursday, June 13, 1968. There were several votes on that day. The last one came, as best I can recall, a little after 5 o'clock.

I was in the Chamber most of the day, but when the final vote was taken and I was informed that there would be no further votes that day, I went to the airport to take an airplane to the far western part of my State of Virginia, a distance of some 400 miles.

I find that in the interim a time limitation was placed on consideration of S. 3218, which is the pending legislation now before the Senate.

Mr. President, this is a far-reaching piece of legislation. It would radically change the policy which has been in effect for 34 years with regard to the Export-Import Bank.

The pending legislation states that it is the policy of the Congress that the Export-Import Bank should facilitate loans, guarantees, and insurance on export transactions which do not meet the test of reasonable assurance of repayment. Such legislation could cost the taxpayers of this Nation hundreds of millions of dollars. Yet, we will be called upon to debate the bill today, under a time limitation of 30 minutes to each amendment, which is 15 minutes to a side, and 2 hours on the bill, which is 1 hour to a side.

We are dealing with a great deal of money in this bill, a bill which would radically change a policy which has been in existence for 34 years. And we propose to do that under a time limitation of only 15 minutes to a side on amendments, and 1 hour to a side on the bill itself.

It seems to me that is a very undesirable procedure in a bill as far-reaching in its consequences as this one can be. In my judgment, it is an unwise bill. But, whether wise or unwise, it is far-reaching. As I mentioned, it would be a radical departure from the procedures, policies, and practices under which the Export-Import Bank has operated for 34 years.

Let me say that I am in support of the Export-Import Bank and have commended on the floor of the Senate—and commend again today—the efficiency and good management under which the Bank has operated.

But, this morning, I protest the fact that the Senate has been placed under a time restriction.

I realize that, had I been present, I would have had an opportunity to object to that request. I did not leave the Chamber until sometime after 5 o'clock, as I best recall, on last Thursday, the last legislative day.

During the two previous sessions, I have been on the floor almost as much as any other Member of the Senate with the exception of the leadership. So I have no concern about not having been on the floor at the particular time that the request for a time limitation was made. It must have occurred well after 5 o'clock on Thursday.

What I would like to propose—I shall not make it at this moment, but I would like to make it before the morning hour ends—is that the time limitation and the unanimous-consent request which was agreed to last Thursday be rescinded insofar as S. 3218 is concerned. I do not make that as a unanimous-consent request at this time, but I do ask unanimous consent that I be again recognized

before the end of the morning hour, so that I may at that time make such a request.

The PRESIDING OFFICER (Mr. JORDAN of Idaho in the chair). Is there objection? The Chair hears none, and it is so ordered.

Is there further morning business?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. AIKEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous unanimous-consent agreement, the Chair recognizes the Senator from Virginia [Mr. BYRD].

Mr. MANSFIELD. Mr. President, is the distinguished Senator from Virginia willing to vacate that unanimous-consent agreement?

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that the previous order that I be recognized at this time be vacated.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDRESS BY HON. EDWARD M. CURRAN AT MAINE STATE SOCIETY DINNER

Mr. MUSKIE. Mr. President, on May 24 the Maine State Society held its annual lobster dinner, at which the coveted Big M Award is presented each year to an outstanding son or daughter of the Pine Tree State. At this year's banquet the society presented the Big M Award to the Honorable Edward M. Curran, a native of Bangor, Maine. Judge Curran is chief judge of the U.S. District Court for the District of Columbia.

In accepting the award, Judge Curran spoke about what it means to be an American today and what that citizenship demands of each of us. He spoke of the need for brotherhood and conciliation among all Americans and all segments of our society.

In these days, when we hear talk of division within our system, Judge Curran's remarks are especially appropriate. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

BROTHERHOOD AND CONCILIATION

(Address by the Honorable Edward M. Curran, Chief Judge, U.S. District Court for the District of Columbia, at the annual dinner of the Maine State Society, National Press Club, May 24, 1968, Washington, D.C.)

Words cannot adequately express my deep feeling of gratitude and appreciation to the Maine State Society for the honor conferred upon me this evening.

Having been born and reared in that state of silvery lakes and green forests, I am well aware of the ideals of the people of Maine.

Conservative in nature, they are imbued with the principle that justice is the great interest of man on earth. Over a century ago, the ideals to be achieved by the administration of justice were eloquently expressed by Lord Brougham as follows:

"It was the boast of Augustus . . . that he found Rome of brick, and left it of marble; . . . But how much nobler would be the Sovereign's boast when he shall have it to say that he found law dear, and left it cheap; found it a sealed book—left it a living letter; found it the patrimony of the rich—left it the inheritance of the poor; found it the two-edged sword of craft and oppression—left it the staff of honesty and the shield of innocence. . . ."

Our forefathers in America decreed that it shall be: "One nation, indivisible, with liberty and justice for all". It became our task, therefore, inherited from the founding fathers, to create on the American continent a nation of free people, strong enough to withstand tyranny and oppression, wise enough to educate their children in the ways of truth, and broad enough to accept, as a self-evident truth, the right of every human being—regardless of race, creed and color—to worship Almighty God according to the dictates of his own conscience.

America is unique in that it has, from the time of its discovery, been the haven of the unfortunate, the oppressed, and the persecuted. For years, people of every nationality, of every religion, of every race, have willingly and freely come to our shores in search of shelter and solace and to rid themselves from the economic, political, and religious intolerances of other governments.

America is truly one nation with many nationalities. It is a nation dedicated to inspired principles, for which people have been willing to sacrifice and suffer; a democracy of cultures, as well as a free and tolerant association of individuals; a country in which there is present the values and the ideas, the arts and the sciences, the laws and techniques of the people of every civilized tradition.

The late Mr. Chief Justice Hughes expressed this thought: "* * * our unity in fact is not racial and does not depend upon blood relationship, whether near or remote. It is the unity of a common national idea; it is the unity of a common conception of the dignity of manhood; it is the unity of a common recognition of equal civil rights; it is the unity in devotion to liberty expressed in institutions designed to give every man a fair opportunity for the exercise of his talents and to make the activities of each subordinate to the welfare of all . . . This is a common country. Whatever the abode of our ancestors, this is our home and will be the home of our children, and in our love for our institutions, and in our desire to maintain the standards of civic conduct which are essential to their perpetuity, we recognize no difference in race or creed . . . we stand united, a contented people rejoicing in the privileges and determined to meet the responsibilities of American citizenship".

The American people have always been concerned with the flagrant violations of the rights of peaceful little nations; and of the cruel and bitter persecution of God-fearing men, and women, and children because of their religion, race, or political opinions. The vile and barbarous deeds which were inflicted upon democratic peoples of the Old World represent an attack against everything that we hold dear—an attack against international good faith, against religion, political freedom and against civilization itself.

We cry for peace, and yet we have no peace. The present conflict is not just a struggle of armaments, but rather is it the spawn of that atheistic culture and philosophy that stemmed from Marx and Engels, that not only threatens our peace, but also our very way of life by those who openly avow that the altar of the omnipotent state is the only shrine before which every head must bow and every knee must bend. But surely there is hope when, in quietude, we realize that there is a Supreme Being, and when, in the stress and strain of daily life, we seek the guidance of a Divine Providence.

If the people of America have no convictions with regard to the values in which they so strongly believe, no faith in the principles for which their fathers and forefathers died, democracy then is doomed. If Americans will not voluntarily obey the disciplines of morality, then immoral forces will discipline us, and if the citizens of the United States have no ideals which they would die to preserve, then despotism and darkness will come over the western hemisphere.

The great problem today is how people of different races and with conflicting viewpoints in the realms of religion and politics can live together in harmony. The solution of this problem, perhaps, is America's destiny, and in that solution may lie her future as a nation. Since America is a medley of differences, engendered by the existence, within her borders, of more than a score a nationalities and an infinite number of religions, those differences must find one common denominator—one level—and that is understanding and friendship. It is not so much tolerance which is needed as appreciation—appreciation of the rights of others which all humans possess, because freedom of thought and conscience is not a matter of favor granted by the state and withheld by the state, or granted by the majority and withdrawn by the majority, but it is a matter of right, inalienable, God-given, and self-evident. The enjoyment of such rights is a common heritage, and the free enjoyment of these rights necessarily implies the appreciation of one another's differences.

We must be highly critical and severely disdainful of those in our midst who would spread the doctrine of class hatred, prejudice and bigotry; who would set one social class against another.

Let us not forget too quickly the long ordeal the Negroes suffered in their efforts to be treated in accordance with the truism that "all men are created equal"; the trial of social ostracism and persecution which the Mormons experienced in their trek from New York to Utah; the organized hate of the 1920's by the Klu Klux Klan of Jews, Catholics and Negroes; and the other national prejudices being suffered today by millions of Americans born in the United States of immigrant parents. Our only hope is in a unity of effort between all people, all religions, all races, in a common brotherhood of man, under a common fatherhood of God.

I need not remind you, whether your forebears came to America on the first Mayflower, or on the thousands of Mayflowers that followed, in the creaking barks and clippers of the 1840's, with their dark and reeking holes, or in the steerage of those ships in the later era, of what we owe them for their contribution in sweat, blood and tears for the wonder that is America. These things are ours. We have known their cost, and so we should all unite as Americans, resolving that the hates and prejudices of the Old World cannot abide in the New, under the bright light of a new day an the flaming splendor of a new sun.

We should lend ourselves to the preservation of those fundamental principles that have their basis and roots in the natural law and which have been enshrined in the Declaration of Independence and the Constitution of the United States.

Remember this—we are servants of society, accredited representatives of a system which has for its ultimate purpose the administration of justice in its highest sense. Take up the line of advance into the future and press with earnest purpose toward the noblest aims of America the great Nation, that is so proudly known as the land of the free and the home of the brave.

CENTENNIAL OF JAPANESE IMMIGRATION TO HAWAII

Mr. FONG. Mr. President, I speak in commemoration of a significant mile-

stone in Hawaiian history—the centennial of Japanese immigration to Hawaii. Appropriate ceremonies and festivities are being held in Hawaii and Japan this week to mark the 100th anniversary of the arrival of the first group of Japanese immigrants in Hawaii. The observance commemorates the saga of the struggle and success of these pioneers, those who followed them, and their American-born descendants.

The centennial celebration is graced by the presence and participation of their Imperial Highnesses Prince and Princess Hitachi of Japan. To the royal couple and their party, Mrs. Fong and I join Hawaii's people in extending our warmest welcome and aloha. We wish them a memorable and pleasant sojourn in our 50th State.

Although the earliest Japanese immigrants are long gone from the scene, their place in history is secure. The 1868 group was the first ever to migrate from their native land and to achieve success as organized immigrants abroad. Because of the Japanese Government's strict prohibition against such emigration, no other group of Japanese had previously departed to work overseas.

The pioneer company of 153 Japanese immigrants arrived in Honolulu in June 1868, as contract laborers for the Hawaiian sugar plantations. Despite initial difficulties, they were followed by thousands of others—aliens all in a strange community. Their language, religion, customs, traditions, and political, social and cultural life were radically different from those they found upon their arrival in Hawaii.

Although they came under short-term contracts to toil in the sugarcane fields and mills, many, especially those with children, chose to stay. Life for the immigrants was generally rigorous, but it offered opportunities for themselves and their American-born children. The Japanese American youths, educated in American schools, grew up imbued with Western ideas and ideals. America was their future.

In war and peace, they demonstrated their loyalty and devotion to the nation of their birth. Faced with many obstacles, including racial discrimination, they nevertheless persevered and overcame them. Today, they are contributing fully to the progress and prosperity of the State of Hawaii and the United States. They have won their places in the political, economic, social, and cultural life of our Nation.

They drew their strength, industry, patience, perseverance, and courage from their immigrant ancestors, who contributed so much to the development of Hawaii and who instilled these sterling qualities in the succeeding generations of Japanese Americans. To these immigrants belong a substantial credit for the successes enjoyed by their descendants today.

It is most fitting, therefore, that during this centennial celebration, tribute be paid to both the immigrants and their descendants, for all have given much of themselves to their country and community. I extend my warmest congratulations to those individuals who are being decorated by the Japanese Government to commemorate the centennial anniversary.

I share the sentiments of Japan's Ambassador to the United States, His Excellency Takeso Shimoda, when he expressed the hope that Japanese Americans of Hawaii, like their distinguished ancestors, will continue to exert their best efforts toward further advancement of their social and economic status and toward the promotion of even closer relationships between the United States and Japan.

On this eventful occasion, I commend the Japanese community for the progress it achieved during its first century in Hawaii and extend my best wishes for still greater progress during the next century. May its contributions to a greater Hawaii and America continue to grow ever larger in the years ahead.

U.S. SPACE INVOLVEMENT

Mr. SPARKMAN. Mr. President, on May 6, Dr. Edward C. Welsh, executive secretary of the National Aeronautics and Space Council, addressed the St. Louis section of the American Institute of Aeronautics and Astronautics. He made a strong defense of space activity.

I ask unanimous consent that major excerpts from the address be printed in the RECORD.

There being no objection, the excerpts from the address were ordered to be printed in the RECORD, as follows:

DR. WELSH ANSWERS CRITICS OF U.S. SPACE INVOLVEMENT

I have heard it said that critics of the national space program generally live in the leisurely world of ignorance. I would add that few who have been informed and who understand what the program does for the country continue to oppose it.

There are those, of course, who are trapped by the illogical proposition that if the money involved were not spent on space, it would automatically flow into projects in which they are more interested. They are the ones who refer to problems of health, housing, crime, air and water pollution, educational deficiencies, and other ills of our complex society and suggest it would be better if we invested our resources in those areas instead of in space technology and space exploration. I do not agree. It is not an "either/or" situation. In my judgment, if this country is great—and I know it is—it has the will, the ability, and the responsibility to handle both a vigorous space program and the social and economic problems which confront it.

ISSUES OF CITY

In fact, our competence to solve the issues of the city is greater because of the space program. It is greater not only because of the improved technology and management experience which can be brought to bear on these problems, but it is also greater because the United States is wealthier as a result of the space program. When I said that the space program increases our gross national product and increases our national income, I could have added that it also raises our standard of living and makes larger our tax revenues which can be devoted to public service. We are indeed wealthier, not poorer, because of the national space program.

At this point, it may be instructive to note that not only does our space program, through its strong support of basic and applied research, make us better equipped to cope with our massive socio-economic problems, but history suggests that this kind of expertise is not nurtured and developed automatically. There is no precedent for the degree of support that the Government has provided for research and development since the advent of the Space Age. It is questionable whether this expenditure of money on research and development, in universities, industry, and government laboratories, with its enrichment of our over-all scientific and technological competence, would have occurred without the challenge of space. In the absence of such a challenge, we might have drifted fatally into the unenviable position of a formerly great nation . . .

INTANGIBLE VALUES

I am sometimes troubled by those who attempt to measure the value of our national space program only by the number and the importance of the material benefits which can be clearly identified. They count the inventions, the new products, the improved services, the electronic advances, and the multitude of related benefits and say this is the total. Actually, as important as those items are—and I consider them to be of great importance—there are other even more significant benefits flowing from the space program.

They may seem nebulous because they cannot be precisely measured or weighed or packaged. But I draw to your attention the fact that we cannot weigh or measure or package or even put a dollar sign on the value of education, or better health for our population, or greater national security, or a healthy competitive enterprise system, or better conditions of human welfare, or increased chances for world peace. Yet, even though they cannot be measured precisely, their values are so great as to make them priceless. And the point I want to emphasize here is that the national space program helps us progress toward every one of these major goals. If serious cutbacks to the program are imposed, our achievement will be less and our objectives of social gain far more distant from attainment.

SPACE POLICY

We are engaged in an effort to reach out into the vast distances of space. We want to know more about this solar system which is our home. In the process of living up to these objectives, we create a greater ability to do things here on earth. We create the competence which is essential if this country is to lead the world in human dignity and in human welfare. These benefits keep us going. And, therefore, I again urge that all who have the ability to speak do so in order that the program will continue to live and grow. Such is the policy of this Nation; but a policy, no matter how sound, can only result in major accomplishment if it is understood and supported by the general public. We have confidence that the road to space is the right direction to travel. We are convinced that to detour from this highway would give competitors an unearned advantage and cause us to lose some of the speed of our rate of national growth.

As an optimist and a crusader, I believe that this nation will not neglect the priority of space for other important priorities but rather will distribute its resources among all the high priority programs. This we will do provided that the people understand the need.

HUNGER AND MALNUTRITION

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD a statement of the American Corn Millers Federation and Export Institute before the Committee on Education and Labor of the U.S. House of Representatives. The statement relates to the whole matter of hunger and malnutrition and is, I think, an excellent contribution to the literature on the subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF THE AMERICAN CORN MILLERS FEDERATION & EXPORT INSTITUTE BEFORE THE COMMITTEE ON EDUCATION AND LABOR, U.S. HOUSE OF REPRESENTATIVES, ON H.R. 17144 AND RELATED BILLS, MAY 22, 1968

Mr. Chairman and Members of the Committee: My name is Bert Tollefson, Jr., and I am the Executive Director of the American Corn Millers Federation and Export Institute.

I am grateful for this opportunity to appear before you to discuss the problems of hunger and malnutrition in the United States. In this presentation I shall focus more on opportunities than on problems.

The Congress of the United States declared it as the policy of the United States to obliterate poverty when it passed the Economic Opportunity Act of 1964. Actually, we as a people, had taken a firm stand against hunger and starvation for any American long before that. Justice and freedom are the cornerstones of this free society called America.

As a trade association, we are dedicated to the principle of the dignity and worth of every individual. Certainly, we should have as a cherished ideal, the ability of every family to earn the means to attain at least a minimum standard of living. This also means the ability to buy the family food requirements.

However, until we reach that ideal, it is our view that we should keep making improvements in the food assistance programs so that reports such as "Hunger USA" are but a relic of a past era. This, of course, does not mean that we endorse everything in that report.

I spoke earlier of an ideal, a realizable ideal. Certainly our agricultural productive capability in the United States is one of our greatest assets—unmatched anywhere in the world. This gives us the means to really close any nutrition gap that now exists for any American. I do not believe that any member of this elected body disagrees with the concept that hunger and malnutrition should be obliterated in the United States. Once we have agreed on the objective, we should move toward the implementation.

Morally, this objective is right, and economically it makes sense. Researchers tell us that malnutrition is a silent crippler—adversely affecting the work performance of the individual, and even the ability to learn. Thus, good nutrition becomes a key element in efforts to lift persons from a life of poverty and ignorance—and in many cases off the welfare roles. Not only does keeping people in a hunger status result in inefficiencies, it has overtones of questionable morality to the nation.

This means that as a minimum we should do the following:

(a) Make food available to mitigate hunger and malnutrition no matter in what part of the United States it is located;

(b) Use the food capabilities of the nation, one of several feasible means to help people become income earners and taxpayers.

Certainly, USDA should be commended for its fine dedicated personnel—men and women who are administering the several programs which are helping feed millions of our fellow Americans. We have seen their work in the School Lunch Program, the School Milk Program, the Commodity Distribution Program, the Pilot Breakfast Program, the Food Stamp Program, etc. As one examines the background and constant search for improvements, one cannot help but feel proud of the achievements and we are glad that milled corn products are an important part of these feeding programs.

We are here today to combine our talents with yours in an effort to make further improvements in the program to eradicate hunger.

One of the items that I would like to discuss today is CSM, which the July 1967 issue of *Today's Health*, published by the American Medical Association characterized as "one of the newest weapons in the Food for Peace Program's effort to combat malnutrition. It was developed for the infant (after weaning) and the school age child."

This product was the result of a close working relationship between private industry, USDA technicians and AID officials. About 500 million pounds have been shipped to about 100 developing countries where there is a desperate need for proteins.

Designed especially for recently weaned infants and preschool children, the formulated food consisting of processed corn meal (64%), defatted soybean flour (24%), nonfat dry milk (5%), and soy oil (5%), to which minerals and vitamins (2%) have been added, can be used by any age group.

Blended Food Product-Formula No. 2 (the technical name for CSM) is a complete precooked food which requires only a minimum of preparation. The cost has been going down and is now less then 8 cents per pound packaged and delivered to ocean ports—and the industry has been able to produce the formula in large amounts.

Three and one-half ounces, when made into a gruel or porridge, will supply a child with one-third to one-half or more of the necessary daily nutrients, except for ascorbic acid (vitamin C), during a period in his life when lack of proper food can seriously damage both body and mind. When children are reached in time they respond rapidly to the improved diet.

Although the product has been well received, USDA has not stopped with development of the CSM formula. Scientists from the Department's Consumer and Marketing Service check each shipment to be sure the product is uniform from batch to batch. They make sure the product meets specifications for protein, fat content, texture and cooked consistency.

Of great importance are the checks for odor and flavor the Agricultural Research Service of the Department of Agriculture food specialists prepare samples of soups, beverages, gruels, and porridges and test for flavor and other characteristics which combine to make the blend acceptable. Experience shows that even hungry people will not eat a food if the taste, appearance, texture, or odor offends them—and each country has its own standards. Food habits are hard to change, often reflecting centuries-old religious and social beliefs and superstitions.

Agricultural Research Service scientists have done research on different methods of precooking corn meal, the major ingredient. This research has contributed to increased production thereby making the product more available to the government. The revised specifications assure uniformity regardless of the method by which the blend is produced. All the while, efforts to develop new uses for CSM continue along with experiments designed to further perfect the formula.

After exhaustive tests, UNICEF decided that CSM provided a unique, great, new economical protein product. This great, humanitarian, world-oriented group made a substantial purchase with its own funds. On the distribution end, we find it universally applauded by CARE, Catholic Relief, Church World Service, Lutheran Relief, and many other voluntary agencies.

Many members of this Congressional Committee at a recent Milled Corn Products luncheon, sampled CSM and know of its versatility through use in various nutritious and tasty recipes. One Congressman liked the CSM soup so well, he had three cups.

As an added step, we would suggest that this uniquely, low cost, high-protein product be included by USDA in the Commodity Distribution Program, the School Lunch Program and any child feeding programs. The cost per unit of protein is extremely low—probably lower than any other food. The potency of the protein is fortified by the vitamins and minerals which comprise 2% of the mixture.

The significance of this food is that it is here and available now, for use now, for helping eradicate malnutrition now.

This working together by the dedicated people of the Department of Agriculture and the War on Hunger group in AID with private enterprise to utilize knowledge and technology to combat the devastating toll of child malnutrition is showing results. This is a unique war—the war against child malnutrition—which can provide only more and better lives, as we wage it with greater vigor. If we retire from this war, casualties result. Our successes abroad encourage us to suggest using it in programs here at home. This has a meaning for today in the new emphasis and energies devoted to tackling the problem of hunger.

ENDORSEMENT BY NEW YORK TIMES OF S. 3634, NATIONAL GUN CRIME PREVENTION ACT

Mr. TYDINGS. Mr. President, this morning the New York Times endorsed editorially S. 3634, the National Gun Crime Prevention Act. I and all the cosponsors of the bill are delighted to have the support of the Times.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE WHY OF GUN CONTROL

There is mounting evidence that the killer who shot Senator Robert F. Kennedy may have also provided the additional push needed to create the aroused public opinion that would finally force through effective national gun control legislation. The most spectacular sign is the partial, but significant, change of position by several of the nation's leading gun manufacturers. Legislatively more important is the apparent shift on this issue by several Senators formerly opposed to gun control proposals.

Ever since the dying days of November 1963, we have pointed out that the usual reason given by advocates of no controls—the so-called constitutional right to bear arms—is only a half-truth. For the right is preceded by a phrase—"A well-regulated militia being necessary to the security of a free State"—that is self-explanatory. This is the 1960's, not the 1790's and, as a law-abiding people, we are not permitted to take the law into our own hands. We rely on trained police instead of turning guns on each other.

Of course, even strong gun control will not stop crime; it will not prevent all murders. Granted, but the statistics in this country and abroad show that regulation and registration markedly reduce the risks.

A comparison of gun homicides in states with strong gun laws and those with weak gun laws establishes the point. There are weak laws, for example in Mississippi, Texas and Florida; in these states guns were used, respectively, in 71, 69 and 66 per cent of all murders during the four years ending in 1965. In three states with strong laws—New Jersey, Massachusetts and New York—the comparable rate was 38, 35 and 32 per cent.

Firearms control in other nations is strict. Britain requires a certificate from local police before a long gun can be purchased. In England guns account for 10 per cent of all homicides, compared to 60 per cent in the United States. France requires police permits for handguns and military rifle purchases;

Canada requires registration of all handguns; in Sweden a need must be proved before gun ownership is allowed. In these and other civilized nations, homicide with handguns or long guns is minor as against ratios in the United States.

The gun-control title of the omnibus crime bill will not meet the country's needs. The most complete measure before Congress has been introduced by Senator Tydings. His *National Gun Crime Prevention Act of 1968* would require licenses and registration for the purchase or possession of any firearms. The bill's provisions are sound and reasonable.

"We believe," Senator Tydings says, "that a society which regulates automobiles, of which death is only a by-product, should regulate guns, of which death is a primary purpose." The tide of demand from angry Americans should persuade Congress of the accuracy of that statement.

SENATOR TOWER'S SPEECH ON FISCAL POLICY

Mr. SCOTT. Mr. President, the distinguished Senator from Texas [Mr. TOWER] delivered the kickoff speech this month at the 1968 management conference of the General Acceptance Corp. in Lancaster, Pa.

Senator TOWER's address was the highlight of the conference, which brought together 450 representatives of the banking, investments, and finance community for a 5-day session.

I ask unanimous consent that Senator TOWER's speech, urging effective monetary and fiscal policies, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Developments over the last seven or eight months have made it painfully clear that the U.S. dollar and the global monetary system are in their deepest crisis since the early 1930's.

Since the British pound sterling devaluation in November, 1967, confidence in the dollar has been severely shaken. It was expected that the sterling devaluation would temporarily upset the world's exchanges, but few expected that the devaluation would create such violent reactions against the dollar—disrupting the very foundation of the world monetary system.

I have found it most interesting to observe the collective reactions of our country's official financial experts to this crisis. Instead of casting blame on a record of reckless fiscal and monetary practices, we find a growing desire to doubt the *system* itself. I must challenge such attempts to misplace the responsibility.

I believe the gold standard has proven to be the strongest and most equitable international monetary system in the history of the world. Unfortunately, because this country's monetary managers have disregarded built-in disciplines of the system, we now find ourselves in a critical financial situation.

The acceleration of the dollar's immediate difficulties began during 1964 when the Administration attempted to turn a booming economy into what some observers now term as a "super boom." The 1964 tax cut, coupled with relatively easy credit practices, placed an undue strain on the economy.

Three subsequent moves from early 1965 until the pound devaluation in November of 1967 exerted tremendous pressures on the dollar and the international monetary system.

First: In 1965, with Vietnam war costs rapidly escalating, the Administration chose to *expand* rather than to curtail its *domestic spending*. Cash outlays increased at an annual rate of over 45 billion dollars—domestic spending accounting for roughly 50 per cent of the enormous increases.

Second: Federal deficits contributed 20 billion more dollars to an already boiling economy setting off the worst round of price inflation experienced in years.

Finally: in 1967, the nation underwent a *credit expansion* resulting in an increase of 15 per cent in the nation's money and credit supply.

These accelerating inflationary pressures at home have triggered alarming difficulties in our balance of payments. The self-reinforcing wage and price spiral automatically discourages exports and increases imports.

In the past, foreign financial experts were hesitant to question the stability of the dollar *as long as we managed to maintain a surplus status in our merchandise trading*. However, our trade surplus declined from 6.7 billion dollars in 1964 to less than 4.5 billion dollars in 1967. Furthermore, in March of this year, this country experienced a trade *deficit*, not suplus, of 157.7 million dollars—the first monthly trade deficit in five years.

Recently Barron's, the highly respected national business and financial newspaper carried an article projecting a 1968 "commercial" trade deficit for the United States in excess of one billion dollars.

Barron's went on to say, ". . . such a development would come as a considerable shock to the international financial community whose confidence in the dollar has been supported by the fact that the U.S. has consistently shown export surpluses."

By overheating an already booming economy, the dollar is being hurt in two ways—Imports are sucked in at a tremendous clip while higher prices are causing losses of markets for U.S. exports.

Devaluation of the pound acted as the catalyst that finally set off an explosive round of world-wide monetary speculation. The events that followed have been hectic to say the least.

The United States and the various Gold Pool countries provided over 3 billion dollars in gold to meet the demands. In the process, Congress was called upon to pass legislation to remove the 25 per cent gold backing of the dollar—this move, according to the Treasury Department, would prove to the world that the United States was prepared to defend the dollar to its last ounce of metal reserves. This measure did barely pass in both houses of Congress—but within hours after passage, the "gold rush" had become so frantic that the President of the United States was compelled to call the British Prime Minister and ask him to suspend trading in the London Gold Market for an indefinite period until the crisis could be resolved.

That weekend the Finance Ministers of the various European nations flew into Washington to discuss the critical situation with Treasury Secretary Fowler and the other monetary officials. The meeting resulted in the creation of the "two-tiered" gold system whereby the present gold price of 35 dollars an ounce would be maintained by all nations in their *official* dealings with each other; but with a free gold market also permitted for *all other transactions* in gold.

Meanwhile, the U.S. gold reserves have continued to decline. Since the establishment of the two-priced system in mid March, we have lost another quarter of a billion dollars worth of gold.

Secretary of the Treasury Fowler recently advised us that the "two-tiered" system would last for decades. Under Secretary Frederic Deming outdid Fowler by predicting that it could last "till hell freezes over." I beg to differ with the Secretary and the Under Secretary—*Never* has the world's monetary system been so exposed! Never before has there been a barometer of our actions so open to the public—so reactive to the forces of the market place.

It seems obvious to most veteran financial observers that as the free market price of gold rises, dollar convertibility becomes questionable. And as the price of free market gold rises, the confidence in the dollar as a unit falls.

Drastic pressure was placed on the dollar as the free gold price reached the 40 dollar level—with many economists believing that a 45 dollar price would bring about a forced *dollar* devaluation. Negative developments in the war, further rioting in our cities, unfavorable news in U.S. fiscal circles—virtually any bad news could set off another flurry of speculation that would drive the "free" market price to and past the 45 dollar danger level.

Another factor that threatens to disrupt the two-priced system is South Africa's policy of not selling its gold production on the "free" market. The South Africans supply almost 80 per cent of the non-Communist world's demand for gold. Many believe it is only a matter of *weeks* before the "free" market will be unable to meet both the industrial and speculative demands for gold. I have been advised that South Africa will be able to continue this policy for at least five months before substantially suffering in their balance of payments.

Another development that merits careful attention is the proposed creation of a new reserve asset called "Special Drawing Rights" or "paper gold." These Special Drawing Rights received a new interest at a meeting of financial ministers in Stockholm after the March gold panic. The S.D.R.'s are proposed as a vehicle to increase world liquidity for international trade and ultimately reducing the need for gold in the global monetary system. They now seem to be presented at times as a blank check with which nations may meet their commitments. However, we have a long, tedious period ahead before the S.D.R.'s even begin to function as initially planned. Already the United States has had to make a major concession to the Common Market countries allowing them a powerful veto right over ordinary International Monetary Fund quota increases. As *Fortune* magazine points out in its June issue, this development has shifted world monetary power still further toward Europe and away from the U.S.

Furthermore, it will be years in my opinion before nations will become accustomed to accepting the so-called "paper gold"—they may never get used to it.

First consider the amount the S.D.R.'s represent. The United States will be entitled to 24.6 per cent of the total International Monetary Fund quota. If, as expected, one billion dollars is authorized for the fund, then the United States will have roughly 245 million dollars worth of "paper gold." If the decision were to activate two billion dollars in S.D.R.'s, then the United States would have approximately 490 million dollars in "paper gold." *Neither figure is sufficent* when viewed in the environment of a commercial balance of payments *deficit* of 157.7 million dollars which, as I said before, the U.S. experienced during March alone.

Another consideration is the timing for introduction of the Special Drawing Rights—activation would result *only after* the United States and the United Kingdom have firmly established equilibrium in balance of payments and/or when a defacto condition of world illiquidity is imminent. Concerning the first qualification, we have already considered the U.S. dilemma in this area of balance of payments. Regarding the second S.D.R. condition, a lack of liquidity, I believe the *real* problem is a *lack of confidence* in the reserve currency units, the pound and the dollar. This situation will not be altered by the introduction of the Special Drawing Rights.

Our central concern must be the loss of confidence in the dollar unit.

Recently, Mr. William McChesney Martin, Chairman of the Federal Reserve Board, warned of both *uncontrolled inflation* and *uncontrolled deflation*. What actually is *un*controlled is *in*flation. This is not the kind of inflation with which we are all familiar. It is a direct result of the failure of the dollar to perform its function in world trade. The dollar as the major reserve currency is the flatbed truck carrying the trade goods. If it fails—then trade fails, and the flight is from the dollar units to stronger, more stable currencies.

In world currency trading, the dollar loses its buying power. If inflation, as defined by the loss of buying power, occurs in world markets, the same effects will occur on an insular basis. The result is uncontrolled *in*flation—followed by the upset of the private debt structure and then ultimate *de*flation.

Mistakes, then, have led to the present situation; lack of understanding has given it greater proportions; and avoidance of responsibility is resulting in crisis. The true question is whether or not responsible men will accept their obligations, define the problem, and come to action; or whether they will be forced to crisis action from the exposure to undue pressure of the two-priced gold system and its effects on confidence in the dollar. We will *fail* if we do not have the courage to accept responsibility. We will *succeed* if we undersand what results "inaction" brings. Proposals such as the Special Drawing Rights are in *no way* a substitute for *effective* monetary and fiscal policies. We can no longer substitute words for action. Any action that attempts to buy time must pay something for that time. The payment is deterioration of the system's basic fundamentals. Will the problem be settled in the market place or will the Administration attempt to accomplish an organized and understood solution?

WILLIAM P. GWINN, DEDICATED CITIZEN AND SAVINGS BONDS LEADER

Mr. RIBICOFF. Mr. President, hundreds of thousands of workers, their families, and the Nation as a whole are the beneficiaries of the volunteer service being performed by William P. Gwinn, president, United Aircraft Corp., and chairman of the U.S. Industrial Payroll Savings Committee of the U.S. Treasury Department. Exemplifying the tradition of citizen service to the Nation, Mr. Gwinn is the leader and moving spirit of a drive to enroll at least 2 million employees in 1968 as new payroll savers or for increased allotments in series E savings bonds and the new freedom shares.

The drive is viewed by President Johnson and Secretary of the Treasury Fowler as a vital force working for the sound management of the public debt and the maintenance of the value of the dollar.

Mr. Gwinn's committee includes 54 other top executives of America's major companies and Secretary Fowler, who is ex officio general chairman. Since its formation in January 1963, payroll savings campaigns organized by the committee have increased the yearly savings in small denomination E bonds and freedom shares by $1 billion. The committee's efforts have helped to increase the holdings of E and H bonds and freedom shares by the American people to their present level of $51.6 billion, "thus," according to Secretary Fowler, "providing the Treasury with a hard-core of noninflationary borrowing upon which our debt management can rely, and also, improve the maturity structure of the debt." Last fall, when thanking Mr. Gwinn for agreeing to serve as committee chairman for 1968, Secretary Fowler said:

> The U.S. Industrial Payroll Savings Committee has been performing a service which the President and I feel is of great importance to the Nation. Your work will be of special significance in this coming year when every effort is needed to offset the inflationary pressures stimulated by Vietnam.

Mr. Gwinn became the chairman of the committee at its annual meeting in Washington on January 9, 1968, but his work on the 1968 campaign began months earlier. To aid the committee members, who would be responsible for persuading companies in their industries or areas to conduct employee payroll savings drives, Mr. Gwinn produced some exceptionally fine sales tools. These included a 20-minute sound motion picture in color narrated by Bob Considine, for use in campaign meetings of top executives. He also produced the enclosed brochure which committee members have found helpful in campaign meetings and in personal calls on other top executives.

To build interest in the campaign and support for the personal sales work by the members of the committee and other savings bonds volunteers, Mr. Gwinn organized and conducted a personalized letter campaign consisting of a series of three letters addressed to the presidents of 18,317 companies with 100 or more employees. The first two letters were sent by Mr. Gwinn. The third was mailed by the area savings bonds campaign chairmen. To date, more than 3,735 companies—20.3 percent of the target list—have returned commitment forms or pledges, an exceptionally high return for a mail campaign.

Mr. Gwinn delivered his sales message in person to area meetings of top executives in Pittsburgh, Chicago, Los Angeles, Dallas, New York, and Hartford. He stressed the importance of expanding employee payroll savings participation to help the Government manage the public debt. He also underscored the value of systematic savings in bonds to the individual and his family, and hailed bond campaigns as an opportunity for employer and employee to give practical and meaningful expression to their patriotism.

Full-page advertisements which Mr. Gwinn ran in the Wall Street Journal on February 13 and March 26 again underscored the importance of the business community giving active support to the campaign.

The sales aids and Mr. Gwinn's spirited leadership of the campaign have built enthusiasm among the members of the committee. Their esprit de corps has also been enhanced by letters and by phone calls which underscore his interest in their campaign accomplishment. For example, when in Chicago on business recently, Mr. Gwinn telephoned area chairmen Robert Reneker, president, Swift Co.; petroleum industry chairman Robert Milligan, chairman of the board, Pure Oil; retail merchandising chairman Edward S. Donnell, president, Montgomery Ward & Co.; and banking chairman David M. Kennedy, chairman of the board, Continental Illinois Bank & Trust Co., to discuss campaign progress with them.

The committee is organized along both geographic and industry lines. As Mr. Gwinn explained to the meeting of the business leaders of Dallas:

> The members not only organize active campaigns within their own companies to enroll as many employees as possible as Bond buyers but they give willingly of their own time to sell other chief executives on the merits of payroll savings for their employees. That is what the U.S. Industrial Payroll Savings Committee is all about.

Twenty-two members are geographic chairmen, working with the businessmen and State and local governments in their respective areas. Twenty-seven members are industry chairmen, working with the large employers of their respective industries wherever they may be located.

The committee also includes the past chairmen: Harold S. Geneen, chairman and president, International Telephone & Telegraph Corp., 1963 chairman; Frank R. Milliken, president, Kennecott Copper Corp., 1964 chairman; Dr. Elmer W. Engstrom, chairman of the executive committee, Radio Corp. of America, 1965 chairman; Lynn A. Townsend, chairman of the board, Chrysler Corp., 1966 chairman; and Daniel J. Haughton, chairman of the board, Lockheed Aircraft Corp., 1967 chairman.

Also gaining inspiration from Mr. Gwinn's dedication to the savings bonds movement are the businessmen who are organizing payroll savings campaigns in 145 medium-sized cities throughout the country. Mr. Gwinn met with the chairmen for these cities in Washington on January 10, 1968, when they participated in a day-long meeting with Government leaders which launched the 1968 Share in Freedom Campaign. He has also provided them with prints of the movie, the top executive brochure, the personalized letters to top executives, and other sales aids. He writes to them from time to time, too, to report campaign progress and to pass along ideas.

Mr. Gwinn, the industry committee members, and the other Share in Freedom Campaign chairmen are asking employers to sign up at least one of every two employees not yet on the payroll savings plan and to obtain increased allotments in E bonds and freedom shares from at least one of every two employees who are already payroll savers. They recommend that the top executive display an active interest in the payroll savings plan and organize a person-to-person campaign in which every employee is canvassed by a fellow employee or supervisor and asked to sign up or to increase his or her allotment.

The campaign has the unqualified support of organized labor. The Nation's unions, led by AFL–CIO President George Meany, have long encouraged their members to become payroll savers.

The early campaign results are highly encouraging. Already, the automotive industry has signed up 194,500 employees as new or increased savers, putting the

industry 85.2 percent over its goal of 105,000. James M. Roche, chairman of the board, General Motors Corp., is the member of the U.S. industrial payroll savings committee who is the chairman for the campaign in the automotive industry. He reports additional employee enrollment can be expected at companies which have campaigns still in process.

At General Motors, 71 percent of all employees are now payroll savers in E bonds and freedom shares. In the GM 1968 campaign, 55,512 employees enrolled as new savers; 34,827 employees already savers enrolled for increased allotments. A total of 30,874 employees signed up for freedom shares as well as series E bonds. Participation at Chrysler was raised to a new company record of 82 percent by the enrollment of 14,341 new savers to bring the number of participants to 113,752, also a company record. Almost half of those already saving—44,461—enrolled for increased allotments in E bonds or freedom shares.

Ford Motor participation was increased to a new post-World War II company high of 60 percent by the enrollment of 24,557 new savers, and 20,831 regular savers increased their allotments. In the campaign, 35,840 employees signed up for freedom shares.

The first member of Mr. Gwinn's committee to complete the campaign in his own company was Michael R. McEvoy, president, Sea-Land Service, Inc., chairman for the maritime and trucking industry. He set a strong example for the committee as well as his industry by increasing participation in his company from 12 to 97 percent.

Mr. Gwinn's convictions about savings bonds are shared by his associates at United Aircraft. The company completed its 1967 campaign with 90 percent of its 78,000 employees on the payroll savings plan. This year, with Mr. Gwinn serving as national industry chairman, United Aircraft campaigners are determined to better their record. They begin their campaign in mid-June.

President Johnson's raising of the interest rate on E and H savings bonds and freedom shares effective June 1 was welcomed by Mr. Gwinn and his team of savings bonds volunteers.

These increases provide new ammunition for Payroll Savings campaigns now under way and for the companies which have not yet conducted full scale person-to-person campaigns among their employees this year.

Mr. Gwinn said:

By taking prompt advantage of the President's action, we can give extra impetus to our campaign to keep our dollar and our Nation strong.

Effective June 1, the interest rate on E and H bonds was increased to 4.25 percent compounded semiannually when held to maturity. Freedom shares, which can be purchased in conjunction with series E bonds, will pay 5 percent compounded semiannually when held to maturity.

Mr. Gwinn served as a member of the committee and the chairman for the Hartford area in the 1965 and 1967 campaigns.

Secretary Fowler declared recently:

The heavy pressures our fiscal system faces at home and abroad makes the Committee's work and the Payroll Savings achievement of business and industry of greater significance than ever before. Mr. Gwinn is a real inspiration for all of us.

OPPOSITION BY KANSANS TO GUN CONTROL LEGISLATION

Mr. PEARSON. Mr. President, there is a great deal of opposition in the State of Kansas to legislation which would restrict the sale, use, or possession of firearms. Some is a subject of misunderstanding, but other opposition is modified by sincerity and by the circumstances which surround the lives of people in their own communities.

Mr. Cleveland Cole, publisher of the St. John News, has written an editorial which I feel actually expresses the concern of many who oppose antigun legislation and who are deeply concerned about the prospect of Congress legislating in panic, emotion, or under pressure.

Mr. President, I supported the gun legislation as offered in the crime control bill recently passed. That bill does not unreasonably restrict the sale, use, or possession of firearms. I ask unanimous consent that Mr. Cole's editorial be printed in the RECORD, because it accurately represents what many Kansans feel.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GOVERNMENT BY FRENZY IS UPON US

Government by frenzy.

Government by hysteria.

It is about to be foisted upon a naive American public which, one of these days will realize in shock and shame, what has happened.

In the days of over-wrought emotions following the senseless killing of Senator Kennedy, the anti-gun addicts have been opportunists and they have been quick to seize upon the chance to try to ram through further violations of the Constitution, and to move one step closer to disarming all law abiding citizens.

Any holier-than-thou pretext that eventual disarming of all the law abiding populace is not the goal toward which the anti-gun nuts are scheming, planning, and working, is blatant, bald-face lying. Step by step, that is the goal, and don't you forget it.

Anti-gun laws would not have prevented and will not prevent criminals from getting all the firearms they want. The sad and sorry record of New York, of the infamous Sullivan law, stands as a monument to the stupid idea that by passing a law a criminal can be prevented from getting a gun (while the law abiding citizen by such a law can be rendered defenseless against rioters, burglars, attackers, robbers, and government leaders who want to be dictators).

The great need is for a quick end to our senseless near-worship of criminals—the protection of rioters, the apathy toward such anarchy, the end of insane babbling about "police brutality" and a more realistic, harder, sterner, more emphatic sledge-hammer treatment of anarchists, rioters, killers, and all others who hold the law in such contempt.

While the fires of hysteria are being kept alive in behalf of anti-gun clamps, would it be unreasonable to ask: What of those three persons (three, mind you) who were killed so senselessly during the great spectacle of moving Senator Kennedy's remains toward the burial?

Were their lives any less precious? Was their killing any less senseless—any less tragic? Were they killed by a gun in the hands of a deranged criminal or were they victims of hysteria?

Is there a drive for a law against hysteria?

Is there a drive for a law against automobiles (How many are killed daily by automobiles?) Are persons killed by automobiles not important? Are their lives not worth stern efforts to reduce speed, imprison drunken drivers, curb the popular mania for greater power, less vision, and bob-sled driving position?

Government by frenzy borders on idiocy.

The person who dares question it (including this writer) is often the object of efforts at vicious, misleading questions of inference and double meaning.

All the same, freedom is invariably the price paid when government by frenzy is effected.

VIOLENCE ON TELEVISION

Mr. McGEE. Mr. President, as America searches its soul and looks inward in the wake of the senseless assassination of Robert F. Kennedy, one of the areas requiring intense scrutiny is, most certainly, television.

The impact of the electronic media appears to be incalculable—yet it needs to be calculated. All reasonable men seem to agree its effect is immeasurable, yet it needs to be measured.

What effect does television have upon the child who now by the time he enters the first grade will have already spent more time in front of a TV screen than he will spend in a college classroom?

What effect does the daily bloodbath coverage of the most violent incidents of the Vietnam war have upon the moral ethic of John Q. Citizen?

Does the bulk of our society now react in near-robot fashion to the urgings of Madison Avenue which are drumbeat daily into our conscious and subconscious?

These are the kinds of questions we should be asking, Mr. President. These and many more. A careful assessment—a systematic determination and analysis of this entire phenomena—is very much in order.

One of those who has quite clearly sensed and articulated this need is Federal Communications Commissioner Nicholas Johnson. For the Sunday, June 16, edition of the Washington Post, Mr. Johnson wrote an excellent article on this subject entitled "An Evil Genie in the Tube." I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AN EVIL GENIE IN THE TUBE

(By Nicholas Johnson, member, Federal Communications Commission)

"Violence on television," like a "sick society," has been a common phrase in the national soul searching following Robert Kennedy's assassination.

Comments about violence on radio and television have come often and from many sources—the President and the appointees to his new Commission, Congressmen, experts on all facets of human and social behavior, the citizens who express their views in letters to the edtior and on radio's "open mike" programs, and the reflective print and electronic journalists themselves. For this reason, if no other, it is likely that radio and television —still staggering from charges of their con-

tribution to racial tensions—are in for quite an evaluation.

This is healthy. It is appropriate. Television and radio station owners are, in effect, elected public officials. They make private profit from public property—the airwaves. Accordingly, every three years, when their FCC license expires, they are called to account for their trusteeship. As the FCC's past performance makes clear, however, only through public inquiry and participation will this accounting be made meaningful. For this reason, the broader inquiries now under way can do great public service.

But the inquiries should be as fair and as productive as possible. And it just may be that "violence on television" both charges too much and asks too little.

ENTITLED TO A TRIAL

The electronic journalists did an extraordinary job from the time of Sen. Kennedy's shooting through his funeral. They worked long hours, with journalistic professionalism and human sensitivity, to help a Nation struggling to pull itself back together once again. In doing so they were careful, you will recall, to characterize Sirhan Sirhan (and later James Earl Ray) as "suspects" or "the accused" rather than "murderers." We should be no less judicious in our characterizations of broadcasting's responsibility for violence in America.

The only information I now have is that *proof* is skimpy at best that violence on television produces violent behavior on the part of viewers. Television is, in short, no more than a "suspect," its contribution to a violent society no more than a hypothesis to be tested. I think it a hypothesis very much worth testing. But my point is that television, like Sirhan Sirhan, has at this point only been charged by a grand jury and that it, too, is entitled to a trial.

Moreover, in our understandable urgency to right broadcasting's wrongs, we must be especially cautious to protect its independence from governmental control of content. Let us first find the facts, present them publicly, and see if broadcasting does not respond responsibly before urging remedies with more serious implications.

THE BROADER ROLE

The reason why the "violence on television" charge asks too little, in my view, is that it fails to address the broader role and impact of radio and television.

"You are what you eat," the saying goes. If the basic chemistry of the body is the end product of all the ingredients we pour down our throats, the functioning of the nerve cells of the brain is just as surely the consequence of what we pour in through our eyes and ears. And what we pour in through our eyes and ears is, in large measure, the product of the broadcasting industry.

There are more radio receivers in this country than people—and another 40 million were sold last year. The average family television set is running 5 hours 45 minutes a day.

It is in that sense that the product of radio and television—all of it—bears a responsibility not alone for Americans' violence, but for the totality of their information, sense of values, powers of analysis, feelings, esthetic sense and moral standards.

Children get more verbal impact from radio and television than from parents, teachers, neighbors and church combined. The songs they sing are the catchy commercial jingles written in the advertising agencies of Madison Avenue, the heroes they emulate are the creation of Hollywood, the possessions they crave are those of the sponsors and the nightmares they dream are provided by the reruns of World War II feature films and the premieres of Vietnam television news. By the time he enters first grade, the average child has spent more hours in front of a television set than he will spend in a college classroom.

What is radio and television preaching to us? What is its *total* impact upon our lives? Until we can answer those questions about the entirety of radio and television programing, our understanding of its parts, such as "violence" in television entertainment, will be superficial indeed.

JUST ENTERTAINMENT

We make a mistake, I think, in attempting to distinguish between "serious" programing—news and documentaries, some specials and "educational" television—and "just entertainment" or a "commercial interruption." We sometimes seem to assume that only the former has "meaning" or "a message" and that the worst that can be said about the latter is that it is "nothing," a waste of time.

The fact is, of course, that each minute has its own significance and impact, alone, in juxtaposition to what precedes and follows and in the context of the events of the day. We are changed, however slightly, by each exposure to the tube.

Those who have studied the role of the media in race relations report that ghetto Negroes are alienated not so much by what they see as by what they don't see: the absence of Negroes and lower class life styles from commercials and entertainment (as well as the failure by the "white press" to report legitimate news items from their community). What is not shown or said is often as significant as what is.

A commercial in the midst of a news program tends to minimize the significance of any reported events; when those events involve a heart-wrenching assassination, efforts to sell mouthwash are absolutely ghoulish. The juxtaposition of programming fare communicates something, too.

How are the tactics of social reform affected when "rat bites baby" does not make the evening news, but "Burn baby burn" does? Does that not communicate as much about our religious, moral and humanistic judgments as our "news" judgment?

What is the effect of the almost exclusive use of nothing but current fashion's "beautiful people" throughout television's product? Does this not communicate a sense of failure, or alienation or at least make life unnecessarily less pleasant for those—white and black—who are not blessed with the hair style, complexion, physical attributes, and voice quality deemed acceptable at the moment?

When poetry or tears are the most appropriate human expression, what does it do to us to receive the message in mellow, pear-shaped tones?

We should listen more carefully to today's popular music—the sex education it provides, the philosophy and tactics of social protest and the commercially successful singing jingles for the blessings of smoking pot. What other "public service advertising" is being provided by the Top 40?

What is the relationship between that 20 to 35 per cent of all programming that is commercials and a child's materialistic sense of values that tends to honor conspicuous consumption over more homely virtues?

ELECTRONIC MIND MOLDERS

These examples are intended to be illustrative, not exhaustive. The point is simply that the FCC majority, and radio and television management, can no longer be permitted to say, "because it would be inappropriate for government, or business, to use the media to propagandize self-serving ends, therefore no one should make the effort to discover its present effects."

Nor can they say that radio and television merely mirror society ("the public interest is what interests the public"), for in this feedback of electronic escalation what they mirror in what they made as well.

Radio and television mold minds, 200 million of them, in numerous ways every day. It is long past time that we find out just what it is these potters are making out of the clay they knead inside our heads—and through their exported films and programming, what they are doing to the minds of the rest of the world as well.

Violence on television there may be. But there is much more. And whatever the human mentality and emotions of America are today, they are in large measure the product of radio and television programming. Precisely what its effect has been, and is, is open to question. That its impact on every facet of our lives is immense there appears to be little doubt.

We have long since passed the time for a "call to conscience" to American broadcasters, urging them, as well as the academic community and government, to learn more about all the effects of this endless outpouring into the heads of all of us. Until we do we shall never understand the small part of this problem that is "violence on television."

If Robert Kennedy's assassination can provide some impetus to such understanding it will be but one example of the many useful ways in which his example, his spirit and his service can long outlive his brief physical presence among us.

THE CASE FOR STRONG GUN-CONTROL LEGISLATION

Mr. PEARSON. Mr. President, throughout the long history of legendry Americana, rarely has any symbol of our historic national development been so romanticized as has the gun. Across the width and breadth of this Christian land, songs are written, folklore is perpetuated, and museums are dedicated to the memory of Americans—hero and villian alike—who have lived and died by the gun.

Despite this, pollster George Gallup, in the June 21 issue of Time magazine, maintains that in his first sampling of public opinion concerning firearms legislation, taken 34 years ago, 84 percent of the Nation favored strong legislation. The figure has consistently remained at or near that high level ever since.

Today, as never before, the American people are voicing their concern over the appalling laxness of gun-control laws in this Nation. Their concern and indignity over the tragic and senseless killings we have witnessed in this country deserves the most heartfelt attention of every Member of Congress.

Mr. President, an editorial published recently in the Kansas City Star eloquently argues the case for strong gun legislation. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHILE THE UNITED STATES WAITS FOR GUN CONTROL

Once again the shooting of a leading American who is an important political figure underlines the lack of gun-control laws in the United States and the inadequacy of the weak firearms measure that now is before Congress.

Surely the patience of the American people is about to run out in this matter. We wonder how many distinguished men will have to be killed or wounded before Congress acts. We wonder whether the political processes of this country can function in a gun-saturated atmosphere in which candidates or officials must fear for their lives.

Look back over the last few years. In 1963 Medgar W. Evers, a Negro civil rights leader,

was killed in Mississippi, apparently shot by a .30–06 Enfield rifle equipped with an imported Japanese Gold Hawk sight.

In November of that year President John F. Kennedy was killed in Dallas by shots from a 6.5 millimeter mail-order Italian rifle.

Two months ago Dr. Martin Luther King was assassinated in Memphis with the evidence pointing to a .30–06 Remington rifle with telescopic sights as the murder weapon.

And Sen. Robert F. Kennedy was shot in Los Angeles. The weapon was a .22-caliber revolver.

Others have been the victims of gunfire, including Malcolm X, James Meredith and George Lincoln Rockwell.

We are aware of all the old arguments in opposition to even modest firearms regulation: The people have a constitutional right to bear arms. Guns don't kill people, people kill people. Sportsmen would be inconvenienced because of the acts of criminals.

But we are tired of these arguments and perhaps a great many of the American people are tired of them, too.

The constitutional right to bear arms is based on the necessity of a "well-regulated militia," which has nothing at all to do with the free flow of weapons to anyone who wants them. Beyond a doubt, the proliferation of guns in this country makes it easy for people to kill people. And we cannot agree that sportsmen really would be inconvenienced by reasonable firearms regulations. Some of the lobbyists who have worked sportsmen into a hysteria over gun control might be inconvenienced if this profitable issue should be removed.

Whatever Congress decides to do with the crime bill that contains the gun control measure, it seems obvious that the proposed restrictions are not sufficient. At this point in American history the issue has become not so much the rights of individual sportsmen or the legal mechanics of regulating firearms. The issue is the permeating presence in society of guns that make murder the simple matter of pulling a trigger and the ease with which those guns can be obtained.

TRIBUTE TO THE LATE SENATOR ROBERT F. KENNEDY

Mr. HAYDEN. Mr. President, my administrative assistant, Roy Elson, paid tribute to the late Senator Robert F. Kennedy and affirmed hope in America when he delivered a speech at a flag presentation ceremony in Tempe, Ariz., on June 9, 1968.

I ask unanimous consent that his speech be printed in the RECORD as a tribute to the late Senator Robert F. Kennedy.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TRIBUTE TO LATE SENATOR ROBERT F. KENNEDY

It may be significant that we honor our national emblem on a day of national mourning. I trust it is not symbolic. For death is never a nation's finest hour.

Our Nation . . . which this flag symbolizes . . . has been sharply reminded, once again, of the dangers that surround us in a changing world, we have seen again . . . for the second time in five years . . . A senseless murder committed against a family symbolic of American opportunity. We have watched the crime almost in its commission. We have seen the dying man, and shared the grief of his family, and those close by him. We have followed the course of the victim right up to his final resting place.

Having witnessed all of this . . . having watched every movement of the players in this bizarre drama . . . I cannot help but wonder what we have learned. We know that Robert Kennedy was serving the cause of his ideas and ideals on the battlefield when he was struck down. We know that Robert Kennedy had every intention of taking his fight to change America *to* every doorstep in America. We know that he lost his life in pursuit of that goal.

Ironically, just moments before the assassin's bullet ended his career, Senator Kennedy had just claimed the biggest prize yet in the race to American leadership . . . the California primary. Now we will never know how the drama would have ended.

It is like an author's unfinished manuscript.

It is now up to us to fulfill the role in Robert Kennedy's tragic drama and pursue the American dream in a spirit of tranquility rather than catastrophe. Should any man give his life in pursuit of a better America, and have it go unremembered . . . his work unfinished? Robert Kennedy's death can serve as an inspiration to the people of this country. It can serve as a rallying point for people who are suddenly sick of what is happening in this country, and sick of what has happened this week. You don't have to agree with Robert Kennedy to see that this Nation needs our help. You cannot elect a man to the White House, or to the Congress, or to the city council . . . and then expect him to solve all of your problems. Good government is a continuous process, calling for participation from all levels of the governed.

Furthermore, it is no longer possible to stand still in the process of governing, legislating or being governed. As fast as we find solutions, new problems emerge and old problems enlarge. As fast as the law-making machinery smooths out a rough spot in our society, a new abrasion needs treatment elsewhere. And, most frustrating of all, those of us being governed find ourselves in a constant state of fright that things are moving too fast to comprehend. All in all, it would be nice if we could declare a national moratorium on these matters, but we cannot . . . anymore than we can wish away the problems and responsibilities of modern life.

Instead of a moratorium, maybe it's time that the American people give their consent to solving the problems of this country. Maybe it's time we gave up sectionalism, classism, racism, and some of the other *isms* that stand in the way of a *united* United States of America.

Maybe it's time that everyone in this country examines his conscience. Maybe we should attach some *meaning* to words like . . . duty . . . responsibility . . . freedom . . . justice and dignity of the individual. Maybe we should examine our personal goals. Are we losing our freedom in a frantic race for personal success? Are we losing our sense of humanity in the quest of personal gain? When we speak of freedom, do we ask freedom for whom? Is it freedom for *some* of us? Or freedom for *all* of us? I prefer the latter.

Perhaps these questions and our problems cannot be answered or solved today or tomorrow or next week. They will persist long after the flag goes back to the top of the staff. But the quest for the answers will go on. For to abandon the quest is to abandon the American dream. And we all have an American dream. The stars and stripes, at half mast or full mast symbolize it.

Thank you.

S. 1035 AND EMPLOYEE PRIVACY—ADDRESS BEFORE THE NATIONAL ASSOCIATION OF INTERNAL REVENUE EMPLOYEES

Mr. ERVIN. Mr. President, at the last annual convention of the National Association of Internal Revenue Employees, George Autry, the former chief counsel of the Constitutional Rights Subcommittee, delivered a keynote address on privacy and the rights of Americans who work for the Federal Government.

As the House Post Office and Civil Service Committee continues hearings tomorrow on S. 1035 and 11 companion House bills, I know the information in this address will be of assistance to those working on the legislation.

Mr. Autry has clearly documented the need for the enactment of S. 1035.

He has also described some action guidelines for individuals and organizations who complain of privacy invasion or violation of their rights by Government officials.

The subcommittee has found these guidelines useful and I commend them to those Members of Congress and their staffs who daily do battle with an intransigent Federal bureaucracy on behalf of their constituents.

I ask unanimous consent that the address to the NAIRE Convention be printed at this point in the RECORD.

These being no objection, the address was ordered to be printed in the RECORD, as follows:

SPEECH BY GEORGE B. AUTRY BEFORE THE NATIONAL ASSOCIATION OF INTERNAL REVENUE EMPLOYEES ANNUAL CONVENTION, LOS ANGELES, CALIF., AUGUST 21, 1967

Thank you for your invitation to attend the National Convention on the first anniversary of NAIRE's unanimous endorsement of the Ervin bill.

This week, NAIRE is considering major changes in its Constitution. I don't know what's in those changes, so I couldn't pretend to advise you. But I will say this: If they will help you do an even better job at the local level—if they give you the power to represent the membership even better at the national level, then make those changes. The Federal employee needs all the help he can get, and the IRS employee needs it more than anyone else.

As Senator Ervin has said "you are the most regulation-ridden, questionnaire-ridden group of Federal employees there has ever been." The Senator's bill is soon going to put a stop to all that. But in the meantime, let's look at why the IRS forces its employees to submit to so many audits and disclosures of their personal assets and debts and to sign so many affidavits attesting to their honesty.

Is it because, as the Reader's Digest has said, Internal Revenue officers and agents have "bullied, degraded and crushed innocent citizens"?

I can only say that when it comes to being bullied and degraded, I'd rather be a taxpayer than a tax collector anytime.

No—after working with NAIRE and its representatives for over a year on the Ervin bill, and after meeting all of you here, I can testify that you are neither walking computers nor are you the sadistic monsters described in the magazine article.

You are unfortunately something like our baseball umpires. That is, you may never be beloved by the American citizen. But you will always be tolerated as men and women of honesty and integrity who perform one of the first and most important tasks of a civilized society—that of collecting the money to finance the greatest, most complex government in the history of the world.

Today, most Americans accept your honesty, integrity, and objectivity, and those who don't will not be convinced no matter how many forms you are required to fill out and no matter how many times you swear to your honesty. If the Internal Revenue Serv-

ice wants to improve its image, first and foremost, it must stop harassing its own employees.

Now, the average American might find this hard to believe, but it's high time they found out that you have exactly those problems—professionally and personally—that Internal Revenue has been said to cause the rest of us. Your privacy, too, is unreasonably invaded, your personal life is often monitored.

You, too, have rights and privileges to protect. And like every Federal employee, you also need the support and understanding of every other American citizen in order to protect those rights.

Here is one of several hundred complaints we have received from IRS employees:

"Why should one segment of government employees be singled out for such treatment? Why should this stigma be applied and forced on only the employees of the Internal Revenue Service? The average IRS employee is no different than any other government employee, regardless of what the IRS may say. In addition, and what is more important, he has the same rights and is entitled to the same respect and consideration as the highest or lowest citizen in this country, insofar as his honesty and integrity are concerned.

"If you think this way and if you feel that all of us are equal in the eyes of the law and deserve the same respect and consideration, will you please use your position to bring a stop to this infamous practice of the Internal Revenue Service?

"(Signed) A loyal employee of the Treasury Department.

"Were I retired, I would sign my name; but since I am not and desire to continue working, retribution would be swift and sure."

What is responsible for such complaints?

In testimony before the Constitutional Rights Subcommittee, NAIRE President Vincent Connery told us last October:

"Like too many Federal agencies, IRS boggles at the prospect of being pinned down by its own employees. It wants no fetters on its own management prerogatives or discretion. It may grant certain benefits as a matter of grace, but as a matter of right.

"This managerial attitude is one of the principal impediments to the growth of real collective bargaining under Executive Order 10988. It can be truly said that the principle most opposed by IRS management, in dealing with their own employees, is what is known in judicial circles as the rule of law. So long as managerial discretion is unencumbered by any meaningful or specific limitations, there is no rule of law to which employees or employee groups may resort."

We cannot place all of this at the door of Commissioner Cohen or previous Commissioners. Other forces are at work, beyond the control or even the influence of NAIRE, if that is possible; and it is time they were dragged out into the open and faced. Your agency is operating in a political goldfish bowl; probably more than any other Federal agency, it is on the firing line, and you deal with the public more than any agency other than the Post Office. In order to survive, it has been forced to respond to the President, the Congress, the public, and to the Civil Service Commission. And it is the fortune of war that you as employees have had to suffer the wounds. The personnel practices of your agency—and it is by no means alone in this—have been directed to preserving and improving the public image of the Service, toward producing a political effect.

I guess by asking an employee how many pair of shoes he has or how much his life insurance is worth, they figured to immunize the Adminnistration in power and the agency itself from the fallout of any instance of misconduct anywhere.

It seems to me that you have three main problems as Internal Revenue Service employees. And in this respect you are like other citizens who work for government.

The first stems from deliberate policy decisions by administrators and from specific regulations which show little regard for your rights and liberties as citizens or which give official sanction to violation of those rights and liberties.

Into this category you can place the political decision, supposedly under Congressional pressure, to make you fill out these forms telling you to:

"List all assets, or anything you and your immediate family own.

"Include your cash in banks, cash anywhere else, anything due from others, the cash surrender value of your life insurance, your personal effects and household furnishings—the date you acquired them and how much they cost."

"Do you or your immediate family rent or use any safe deposit box—tell the amount of cash in each box."

"List all life insurance policies held by you and your immediate family—tell the type of policy, the date acquired, the annual premium, and the cash surrender value."

Another example is reflected in the IRS Manual draft regulations of last year telling employees to lobby for local ordinances, to paint fences, to work for Administration programs in their spare time, and to support certain organizations.

The second threat to your privacy comes from personal abuse of delegated authority and arbitrary interpretation of regulations. This is where value judgments enter the picture. Constitutional rights are always at stake when the values applied in carrying out a regulation fail to reflect a respect for individual dignity and the right to personal privacy in the employee's private life, and in his thoughts and beliefs. This is what produced the following complaint from IRS employees:

Please find attached a second minority status questionnaire request which I received.

The subject matter was presented to me in the following manner:

1. My supervisor walked up and handed me the material and stated it appears your last questionnaire must have become lost or mutilated and you should file another one.

2. I asked my Branch Chief how he knew that I had not completed this form. He indicated that he had received about 30 of the same for other employees in the Branch. I mentioned that I thought our names were to be kept secret. He stated that I should then send it back in blank.

3. I then called the Chief of Personnel, who indicated that there were no changes in the previous instructions and that I could throw it away if I wished. I asked him how many more times they were going to do this and he indicated he did not know since this form originated at a higher level.

4. Since everyone seems to have a different opinion as to what I should do with it, I am sending it to you, Senator.

Now, I don't wish any of the above persons to get into any trouble because I believe that they all acted in good faith. But from the foregoing it does appear that the communications in the Internal Revenue Service are atrocious.

But, perhaps, the most serious complaints of infringements on privacy come from that great unpoliced, legal no-man's land of personnel investigations.

Thus far, the investigators have been relatively free from investigations themselves. This, however, will no longer be true. On instruction from Senator Ervin, the Subcommittee has now begun a new study.

At the outset, let me make it clear that as a group, personnel investigators are no better and no worse than other men. But those few who are unscrupulous have unlimited power to damage the careers and reputations of others. And for the great majority who are conscientious—whether they represent the IRS, the Civil Service Commission, or the State Department—new guidelines are needed to produce more accurate results with less damage to the reputation of the employee or applicant.

There is that initial background check when you are hired. With few restrictions, investigators can run around to your friends and neighbors and ask about the most intimate details of your private life. Even if you don't have anything to hide, the impression is left that you may.

For instance, the Subcommittee received this letter—and it is a typical complaint:

I am writing to express to you my dissatisfaction with the Civil Service Commission's conduct of purportedly routine character investigations of federal government employees.

I have recently been contacted by Mr. Doe of the Commission's investigation staff concerning a friend of mine—a single woman—who is employed by the Department of Agriculture. I found Mr. Doe's manner and techniques offensive to the person being interviewed, insulting and possibly discrediting toward the person under investigation, and unsuitable in achieving the purpose of the investigation, which I presume to be ascertaining reliable information from which an evaluation of character might reasonably be made.

In fact, Mr. Doe was able to pose one question, which encompassed all three of the undesirable elements mentioned above. The particular question was: Do you have any reason to believe that the young lady in question has borne a child out of wedlock?

I was disgusted to learn that Mr. Doe regarded this tasteless question as the natural way to determine the moral character of unmarried women in general. The question has the additional vice of permitting unwarranted inferences to be drawn by persons interviewed who may not have seen the subject of the interview for periods of sufficient time during which the subject could have borne a child and placed it for adoption. Finally, the question is ill-conceived and possibly irrelevant to the purpose of the investigation.

The question unfortunately is illustrative of the negative tenor of Mr. Doe's entire investigation. Mr. Doe approached his task with obvious delight in the possibility of digging up some dirt. The fact that the subject had lived only a short time with me while finding an apartment upon first coming to the city suggested to Mr. Doe that we had had a falling out concerning which he would be delighted to learn the details.

My concern goes beyond my own encounter with Mr. Doe. During a recent visit to the New England town in which both the subject and I were reared, I was informed by my parents and others interviewed that my friend and the daughter of their neighbors was being investigated by the National Security Agency and/or the Federal Bureau of Investigation, that she was obviously taking a new job requiring security clearance, and that she was apparently mixed up in something immoral, unlawful, or both. My point is that such misapprehensions would not be so likely to arise if the Commission were careful to see that its agents adopted a proper approach and employed sensible investigation techniques. However, if Mr. Doe is typical of the Commission's investigators, it is easy to understand why the persons contacted in such an investigation are either confused or intimidated, or as in my case insulted, disgusted with the reflections cast on the subject under investigation, and convinced that the aims of the investigation stand little chance of being achieved.

I think the Commission's investigative procedures could benefit immeasurably from some well-directed Congressional scrutiny.

Then there are the privacy-invading personal interviews with the applicant. For instance, an engineer applying for a job with a private airline company, was subjected to an extensive investigation and interview by

Air Force investigators because the company had a defense contract. They asked him, a married man, such questions as "Have you ever had extramarital relations? Have you ever lied about your golf score? Do you and your wife have an agreement that both of you can engage in extra-marital activities?"

There is a Defense Department memorandum setting guidelines for security investigations.

But when he asked the investigators what possible relevance such questions had to a security determination under the guidelines, they flatly refused to tell him. Their supervisor said he didn't know anything about that memo and since his investigators weren't lawyers, they couldn't rule on the relevance of the questions they asked.

There was the IRS employee being investigated for a job with the Service whose neighbors were asked how he treated his adopted children. Neither the neighbors nor the children knew they were adopted.

On the basis of another employee's contention that he was a CIA employee, a civil servant in the Defense Department was locked in a room and interrogated for hours by investigators, refused the presence and advice of his superior or a lawyer. He was told to write and sign a statement describing his personal life and habits in great detail. Then he was pressured to take a lie detector test. When he demanded to know the reasons for the investigation and the charges, he was told there were none. Yet, he was immediately removed from his top-secret job and assigned to a non-sensitive personnel job where he has remained for months, despite Subcommittee demands to the Army and the Civil Service Commission that the matter be cleared up.

In such cases, a person has little recourse or remedy. His clearance is not revoked; it is merely indefinitely "suspended."

The irrelevancy of matters drawn into these investigations would be funny if it were not tragic. One employee was investigated for pilfering candy machines. Yet he was asked, didn't he know his wife was running around with another man.

As a class within the Federal government and as a group within the Internal Revenue Service, investigators and inspection officials have become a law unto themselves.

You are all familiar with the problem in your own agency, so I'm not going to detail the cases of denial of right to counsel; the gestapo-like surveillance techniques; the investigations leading to discharges on the basis of matters completely unrelated to the individual's job; the failure of the Civil Service Commission to look behind the motives and basis of the investigation in the first place; their failure to monitor and control the methods and techniques used to conduct investigations.

You have put up with them for years, with no understanding or concern from Congress or the American public.

S. 1035, the employee privacy bill, will correct some of the more glaring violations of privacy by investigators, but by no means does it cure them all.

That is the purpose of the Subcommittee's new inquiry. Senator Ervin is in the process of sending questionnaires to the heads of various departments and agencies to determine exactly what controls and guidelines should be adopted to govern these investigators, and where political and administrative responsibility for these functions should lay.

In the meantime, there is the immediate problem in getting something done about current invasions of your privacy. This is the third problem area. In the labor-management negotiations and the procedures established under Executive Order 10988, you have one channel—inadequate as that may be—for resolving job-related difficulties. But for threats to the unique individual rights and liberties which are yours as citizens, Senator Ervin's bill will provide two other recourses—to the Board on Employee's Rights and to the Federal District Courts.

In addition, I would recommend Senator Ervin's ten commandments for individual or group action on a complaint of such a violation or threat. These are based on the Subcommittee's experience with many thousands of complaints from employees and other citizens.

At the risk of sounding like Moses on his return from Mount Sinai, I'll list them for you.

1. Hear both sides and resolve contradictions in stories. A seemingly minor instance of bureaucratic tyranny may hold dire implications for the liberties of the employee.

2. Find out who is ultimately responsible for the act and for the policy. Pursue this through the agency, the department, the Civil Service Commission, the White House, or even the Congress.

3. Determine the precise legal basis for the action. Don't be afraid to ask what authority they are acting under. They probably don't have any.

4. Get a copy of that authority. If it's a regulation, find out if it's based on a statute. More than likely, it isn't.

5. Find out if this is an isolated incident or if it reflects a general practice. Look beyond your own organization. Has this happened to other employees? It probably has.

6. Test the administrative practice or policy as well as the cited legal authority against those constitutional values and standards of fairness which our society cherishes, which you yourself have a right to expect in dealing with your Federal government, even if it is your employer. Don't accept the glib reply that no legal right of an individual has been violated. For instance, if you suspect your employer of tapping your phones or eavesdropping on you, don't let him tell you the law is unclear.

7. If there is a contradiction between the policies and practices of your agency and these basic principles, call it to the attention of the man at the very top.

8. Let Congress know. It has the responsibility to protect, by general legislation if necessary, the constitutional rights and liberties of all citizens, even Federal servants and Internal Revenue employees. Employee complaints are what produced S. 1035, the Federal employees' Bill of Rights.

9. Don't settle for correction or adjustment of your own personal problem, or of the problem of a single employee or of a single group of NAIRE employees. Aim to change that policy or regulation. You'll be doing yourselves, other Federal employees, and the Government itself a favor. You may have to drag the decision-makers into the 20th Century, but it will be worth it. And your Association will be the winner.

10. Choose your fight. This is probably the most important commandment of all. For on your individual and collective judgment as to the merit of the causes you champion depend the reputation and the influence of your organization with the Federal bureaucracy, the Congress, the press and the public at large.

You may win the economic skirmishes concerning salaries, hours, working conditions and other internal job-related matters. But are you willing now and then, as you grow, to take on the big fights over questions of values? The long shots on matters of principle? Are you willing to spend your time, energy and resources for the benefit of the climate of the Federal service as a whole and for the quality of the society you live in?

Perspective and unselfish contribution in this area is the key to a responsible organization in a democratic society. It is also, I might add, a characteristic displayed by NAIRE throughout the study of employee rights by the Constitutional Rights Subcommittee.

You have lent your active support to S. 1035, the bill to protect rights of all government employees and prohibit unwarranted invasion of their privacy. The NAIRE national offices and chapters throughout the country have conscientiously provided research materials, documented cases and well-reasoned arguments illustrating the need for such legislation. For this, all Federal employees thank you; and for myself, I ask you keep it up until the bill is signed into law.

TV INTERVIEW ON GUN CONTROL LAWS, PRESIDENT'S COMMISSION ON VIOLENCE, AND "RESURRECTION CITY, U.S.A."

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a transcript of questions which were asked of me during a television interview which was filmed on June 12, and of my answers thereto.

There being no objection, the transcript was ordered to be printed in the RECORD as follows:

TEXT OF SENATOR BYRD'S TELEVISION INTERVIEW JUNE 12, 1968

Q: Senator Byrd, How do you view the need for additional gun legislation?

A: Well, there are a number of things I would like to say in response to that question. 40 percent of the murders that are committed in the United States are not committed with guns. And of the gun murders, 71 percent are committed with small firearms, such as the pistol which killed Senator Kennedy. Now legislation has already been passed by the Congress covering the sale and purchase of these small weapons. In other words, 71 percent of the problem has been dealt with by Congressional legislation already.

So the question boils itself down to whether or not we should enact legislation regulating the sale and purchase of long guns such as rifles and shotguns. Now I would not want to support legislation which would prevent the law-abiding citizen from purchasing and owning a long gun. But I do think there is a great deal of misunderstanding with regard to the legislation that has been proposed. I don't think that it would do this. I also feel very strongly we should do whatever we effectively can to prevent the possession, by juveniles, lunatics, and persons with criminal records, of firearms.

But I think we must also remember that anything we pass will not prevent firearms from falling into possession of the criminals. No legislation will guarantee this. Just as prohibition did not guarantee that whiskey would not be manufactured and consumed, no gun legislation will prevent the bootlegging of guns. A criminal will secure a firearm if he has to steal it. So I think we must keep our perspective about this matter. As long as we make life easy for the criminal in the United States, crimes are going to be on the increase, guns or no guns. They will continue to commit their acts of murder and violence. Crimes have been increasing while punishment has been decreasing. The death penalty, for example, has been repealed in many states. Probation and parole are easier to get. Trials are delayed months and even years. Sentences are becoming shorter and self-confessed criminals are allowed to go scot-free as a result of some of the tenuous technicalities that have been raised by the Supreme Court in some of its recent decisions.

I believe all of these things must be considered, not only gun control legislation, but the disregard by the Federal Courts, in particular the U.S. Supreme Court, of the right of the public to be protected against the criminal. So let us also fight to remove the

roadblocks that have been placed by the United States Supreme Court in the way of conviction and punishment of murderers whatever the weapon used—be it gun or knife or club.

Q: What do you think of the President's newly appointed Commission on Violence?

A: Well I think it is all right, but I do feel that these commissions are all too often unbalanced and they come out with one-sided reports. I hope this report will be a good one, will be balanced, and will take into consideration the many factors that are affecting the crime rate.

Q: "Resurrection City, U.S.A." has been in existence in Washington several weeks. How do you view its future?

A: Well I was against the issuance of the permit to camp on Federal Property in the beginning. It created a bad precedent. It left the impression that the Federal government was unwilling to stand up against the demands of militant groups and it also created problems for the city. In view of the march, that is planned for June 19, however, I recognize the practical problem of forcing a shutdown of the camp just three days before the march on Washington. So I have urged the Secretary of the Interior and the U.S. Attorney General to extend the permit, but not to extend it beyond a week at most.

Q: Well Senator, Mr. Abernathy's group has indicated that they will stay, permit or no permit, how about that?

A: Well I think he should be asked to be off Federal property by June 23, and if he and his group refuse to do this, I believe the camp should be sealed off, no persons should be permitted to enter the camp, and those who insist on remaining on Federal property should be arrested and moved out. The camp should be torn down and the grounds restored to their original use.

Interviewer: Thank you, Senator Byrd.

GUN CONTROL LEGISLATION

Mr. PEARSON. Mr. President, there is much emotionalism and misunderstanding concerning the various proposals regarding gun control; but out of this sea of confusion occasionally a person will write a letter, take a position, or publish a newspaper column which is persuasive by the force of its simplicity and honesty of mind and purpose.

Such an article recently appeared in the Pittsburg, Kans., Headlight. It was written by Roy Miller, a sports columnist of that newspaper. It is a sensible, courageous statement. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SEEK OUTDOORS

(By Roy Miller)

I'm sorry but some of my outdoor writing brethren won't like this piece. Neither will some of the public—as if outdoor writers weren't part of that public.

Nevertheless, count me in favor of gun control legislation.

Unfortunately, my vote won't do much good. My vast fan club hasn't been able to get me elected to a congressional seat.

Therefore, it's up to Kansas' congressional delegation. I urge them to support reasonable gun control legislation.

Just what is "reasonable" gun control legislation? I don't know. I'm not up that well on the subject.

But I do know it's time for outdoor writers and some sportsmen to stop blindly attacking any sort of curb on the sale or use of firearms.

Unlike some folks, I've never held a strong belief one way or the other on the subject. But I have been suspicious of some news releases crossing my desk from the National Rifle Association and the National Shooting Sports Foundation, among other groups.

Admittedly, I've used plenty of this stuff. Some of it I've used verbatim.

But it's time to start questioning the frantic lobbying against firearms legislation. I questioned it before the latest series of national tragedies.

I don't own a firearm. Although I'm pretty wicked in an unintentional sort of way when I cast with my ultra-light fishing outfit, my closest contact to a firearm has been with M–14 and M–1 rifles.

Those times, I wore a green uniform that says "Miller" on one pocket and "U.S. Army" on the other.

But this doesn't mean I'm against shotguns, rifles or pistols. I enjoy hunting.

And I can't see how some of the discussed firearms legislation would hamper the hunter. So what if every firearm had to be registered?

How would this hamper any basic freedom?

Listen for a while to an editorial from the The Kansas City Star:

"We are aware of all the old arguments in opposition to even modest firearms regulations: The people have a constitutional right to bear arms. Guns don't kill people, people kill people. Sportsmen would be inconvenienced because of the acts of criminals.

"But we are tired of these arguments and perhaps a great many of the American people are tired of them, too.

"The constitutional right to bear arms is based on the necessity of a 'well-regulated militia,' which has nothing at all to do with the free flow of weapons to anyone who wants them. Beyond a doubt, the proliferation of guns in the country makes it easy for people to kill people. And we cannot agree that sportsmen really would be inconvenienced by reasonable firearms regulations. Some of the lobbyists who have worked sportsmen into a hysteria over gun control might be inconvienced if this profitable issue should be removed.

"Whatever Congress decides to do with the crime bill that contains the gun control measure, it seems obvious that the proposed restrictions are not sufficient. At this point in American history the issue has become not so much the rights of individual sportsmen or the legal mechanics of regulating firearms. The issue is the permeating presence in society of guns that make murder the simple matter of pulling a trigger and the ease with which those guns can be obtained."

Don't rush for the mailbox if you're offended by this column. Wait a couple of days. Thayne ("The Kansas Sportsman") Smith has a column in the works that may turn out to be diametrically opposed to my thinking.

He said as much the other day when I brought up the subject, mentioning that I disagreed with him on the subject.

"Why?" Thayne asked. "How can you regulate guns and not people?"

I realized I had given him a line for his column.

I stammered for an answer. Maybe I don't have the answer.

Sure, crimes will continue.

But if firearms legislation will make it possible to spare even one life, to stave off even one murder, I'm for it.

It doesn't seem too high a price to pay.

ICELANDIC INDEPENDENCE DAY

Mr. BURDICK. Mr. President, today is the 24th anniversary of the date the Republic of Iceland gained its independence. It was June 17, 1944, that this island Republic gained its independence when 97 percent of Iceland's participating voters elected to end its union with Denmark.

Iceland and Americans of Icelandic descent have given much to this Nation, and it is for this reason that we pause to pay honor to that Republic today.

The history of Iceland shows a vigor and independence which the citizens brought with them when they joined the massive immigration to America in the 1870's. Many of them settled in the Dakota Territory. Today, some 1,000 Icelandic-Americans are residents of North Dakota. In fact, Mountain, N. Dak., is one of the few Icelandic-American communities in our Nation today. These small communities were and still are examples of the democratic way of life.

Early local governments were centered around the individual and his life in the community. Representative forms of government were established in the community as was the means of protection for the individual. Trial by jury was initiated in Iceland and this essential part of democracy carried forth in the new communities in this Nation.

History has allowed Iceland to contribute significantly to the development of America. The Vikings stopped there on their way to the North American Continent. Early Scandinavian explorers also stopped at the island to replenish supplies and repair their vessels before continuing on their journeys of exploration.

The Republic of Iceland has given us many men famous in several fields of endeavor. Stephan G. Stephansson, who lived in North Dakota before moving to Canada, has been pronounced the greatest poet in Canada by Prof. Watson Kirkconnel. Another great writer with tremendous wit was the North Dakota poet Kainn.

North Dakota has had as its attorney general, Sveinbjorn Johnson, who later became justice of the Supreme Court of North Dakota, and later, legal counsel and professor of law at the University of Illinois. Another, Gudmundur S. Grimsson, won international acclaim for his prosecution of the Tabert case in 1923.

A man who was one of the greatest Arctic explorers is a North Dakotan of Icelandic descent. Vilhjalmur Stefansson, writer, scientist, and explorer, has added much to the understanding of our world.

Thus, Mr. President, because of the contributions the Republic of Iceland and people of Iceland have made to these United States, I join in today honoring the anniversary of Iceland's independence.

A VETERAN WESTERN UNION MANAGER LEAVES THE SENATE PRESS GALLERY

Mr. FONG. Mr. President, a recent visitor to Hawaii was James O. Mathis, whose name is familiar to the congressional press corps. Mr. Mathis and his wife spent a relaxing vacation in Hawaii after his retirement May 1 as manager of the U.S. Senate Press Gallery staff for Western Union.

During a quarter century of handling news stories, Mr. Mathis' service included the managing of his company's news operations in the House of Representatives, before he moved to the Senate side.

A brief account of his interesting career prior to his retirement was published in

the Honolulu Star-Bulletin of June 11, 1968.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THEY'RE SEEING PLACES TO WHICH HE SENT STORIES

(By Peggy Bendet)

A man who transmitted news stories around the country for 25 years is paying a leisurely visit to some of the places where they were published.

James O. Mathis, manager of the U.S. Senate press gallery staff for Western Union before his retirement May 1, is touring Hawaii with his wife.

Mathis handled the coverage for such events as the United States Declaration of War after the bombing of Pearl Harbor and the inaugurations of Presidents John F. Kennedy and Lyndon B. Johnson.

Mathis managed Western Union's news operations in the House of Representatives before he took that job in the Senate.

"The biggest story I handled from my point of view was Sen. Joseph McCarthy's appearance before the House," Mathis said, adding that the basis for his view is the number of wires he set up to handle the news flow.

Washington correspondents credit Mathis with the correction of hundreds of errors in their stories.

"I tried to help them out when I could," Mathis said. "I suppose the most serious errors were when the correspondents forgot to put in a 'not'."

"Western Union had a slogan when I first went to work for them," Mathis explained. "We have nothing to sell but service."

His wife smiled, "He took it seriously."

The Mathises met through Western Union in 1926. She was manager of the office in Savannah, Ga., where he came to work.

"It was one of those lovely 'first sight' things," Mrs. Mathis said.

They married and moved to Washington, D.C., the following year. Mrs. Mathis worked in the Washington D.C. office of Western Union until her retirement three years ago. Since then she has worked for the federal "Voice of America" which is broadcast to 169 countries.

She plans to leave her job soon, so that she and her husband can do some traveling.

They arrived in Honolulu May 30, after driving from Washington to Los Angeles. They will leave the Islands tomorrow, pick up their car and drive back to the East Coast through Canada.

They are staying at the Hilton Hawaiian Village.

REVISION OF GRAIN STANDARDS ACT

Mr. BURDICK. Mr. President, I am happy that the Subcommittee on Agricultural Research and General Legislation held hearings today on legislation pertaining to a revision of the Grain Standards Act. I was pleased to cosponsor with the Senator from Montana [Mr. METCALF] and the Senator from South Dakota [Mr. MCGOVERN] S. 272 which provides for inspection and grading of grain to be accomplished on the basis of submitted samples. The Grain Standards Act is essentially the same as it was when passed over half a century ago. It is imperative that the modern methods of sampling by automatic machinery be brought to the grain marketing industry.

I hope that our distinguished colleagues on the Committee on Agriculture and Forestry will favorably report to us proposed legislation which will permit mechanical sampling. Any help we can give to the farmer to help him to market his produce in a more efficient manner will ultimately result in more dollars in the farmers' pockets. We all know that the farmers' share of the market dollar is pretty small. We should try to increase it.

Mr. President, I ask unanimous consent that my testimony in behalf of S. 272 be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR QUENTIN BURDICK TO THE SENATE AGRICULTURAL RESEARCH AND GENERAL LEGISLATION SUBCOMMITTEE IN BEHALF OF S. 272 ON JUNE 17, 1968

Mr. Chairman, I thank you for this opportunity to testify in behalf of 272 of which I am the co-sponsor together with Senators Metcalf and McGovern, I believe it is safe to say that any regulatory legislation, in order to remain pertinent, must be updated from time to time. I believe that the time for updating has come for the Grain Standards Act which, as you know, is essentially the same as it was when passed a half century ago. That is not to say that many of the provisions are not still good. They are, but I believe we must update the act in order to make it relate to the conditions of today. In the 89th Congress, I supported legislation which declared the railroad boxcar shortage a national emergency and I also supported other legislation which would help alleviate the critical shortage of rolling stock.

I think, Mr. Chairman, that the legislation before your committee today will have the indirect effect of increasing the availability of rolling stock on the railroads and therefore will have a direct effect on the commerce of our nation. And, needless to say, I am in favor of any measure which will increase the income of the farmer. I believe this proposed change in the Grain Standards Act will increase the farmers' income.

In eliminating the requirement for box cars of grain to travel to designated inspection stations, I think we will revolutionize the marketing process of grain. What is being proposed is that a regulated and licensed system be set up whereby mechanically extracted samples of grain can be submitted for grading at a central point and also can be sent to prospective buyers. Box cars containing the grain from which the samples were extracted can then be shipped to any destination determined by the seller and can be graded according to the results of the gradation test which would have taken place many miles away. Of course this will make possible market shopping for the farmer or the grain elevator operator. He can wait until he learns of a market opening which is attractive and then ship the grain to that market without delays of enroute inspection. We know that the agricultural community is not getting its fair share of the produce dollar. I think that this is one way of insuring that they get a little bigger share of that dollar.

The probability that a sample of grain represents the contents of a car load is much greater when it is extracted by the mechanical sampling device than when it is taken by the present hand probe method. The Secretary of Agriculture will continue to have the authority and responsibility to insure that the sampling is done by approved methods.

In summary, Mr. Chairman, let me itemize the arguments in favor of this legislation. First, the taxpayer will gain because there will be significant savings in cost from the present sampling system. Secondly, the buyer will be gaining an advantage in that he will be assured of a better representative sample. Thirdly, the purchase can be consummated on the basis of submitted samples and delivery can be expedited without current layover delays for inspection so that both buyer and the seller are protected from price fluctuations which can occur between the purchase time and a prolonged time of delivery. Fourthly, there will be increased equipment utilization and this perhaps will encourage the design and purchase of more and better grain box cars.

I understand that presently the railroad can expect to get only eighteen trips a year out of a single piece of grain-hauling equipment. I believe that the enactment of this legislation will increase the car utilization time. In other words, more trips from the elevator to the buyer can be made by a single box car if there does not have to be a layover at an inspection station. Lastly, the farmer and the small country elevator operator will gain in that the range of markets available to them will be increased. For example, a farmer in North Dakota can go east with his submitted sample to the prime markets of Minneapolis or Duluth. Or if the market is better in the west he can go to the Pacific coast markets. He does not have to gamble with an entire carload of grain. He can sell on the basis of his submitted sample.

This, I believe, Mr. Chairman, will revolutionize the marketing process for grain. In summary, Mr. Chairman, I think all that we are doing if we pass this legislation is adapting the modern methods of sampling and analysis that are used in countless other industries today to the marketing of grain. Certainly modern techniques are needed in this area, just as much as they are needed anywhere else.

COLLECTIVE BARGAINING FOR FARMWORKERS

Mr. WILLIAMS of New Jersey. Mr. President, S. 8, a bill that I introduced and which has been cosponsored by 11 other Senators, is scheduled for executive consideration by the Committee on Labor and Public Welfare tomorrow, June 18, 1968.

The purpose of the bill is to bring to agricultural employers and employees of large-scale farms the same rights and responsibilities presently applicable to employers and employees in all other industries. As pointed out in an editorial today in the New York Times, the Congress is nearing "a point of decision" on this legislation "in the long fight to extend to agricultural laborers the freedom to unionize that workers in industry generally have been guaranteed for more than 30 years."

Coverage under the National Labor Relations Act would permit use of election procedures successfully developed and used for over 30 years by the National Labor Relations Board to guarantee to employees the right to decide for themselves if they want to engage in collective bargaining with their employers. Over 30 years ago, industrial workers were provided these basic procedures to bring peace to labor-management relations and to end the jungle warfare which cost much but settled nothing.

Labor unrest, evidenced by strikes, violence, boycotts, and other disruptive conditions that materially affect food production, farm profits, workers' earnings, and the general flow of farm products to the consumer, now characterizes the na-

tional farming scene, as they affected industry 30 years ago.

Meanwhile, the NLRB procedures have developed peace and stability in the industrial sector.

These conditions are due to the farmworkers' exclusion from the laws' democratic, secret-ballot election procedures. Their continued exclusion will continue to disrupt vital and basic human relations: acceptance of people, negotiations, improved communications, dignity and fairplay.

In America today, this is a time of testing of the willingness of our people to work out problems by peaceful negotiations, democratic election procedures, and firm agreements instead of relying on the law of the jungle.

We now have an opportunity to act by enacting legislation that has relatively little or no cost to our Nation's Treasury. As correctly noted in the New York Times editorial, "the hired farmworker is the most deprived section of the entire work force." While the New York Times editorial suggests Republican members will boycott the committee meeting tomorrow, in hopes of blocking the quorum of the committee, I have been assured by the minority members that they will be present and the committee will be able to take up this long overdue measure that will bring economic emancipation to the poorest workers in the country.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the New York Times editorial was ordered to be printed in the RECORD, as follows:

FAIR DEAL FOR FARMWORKERS

A point of decision is nearing on Capitol Hill in the long fight to extend to agricultural laborers the freedom to unionize that workers in industy generally have been guaranteed for more than thirty years. Hired farm labor is the most deprived section of the entire work force. Even now, with a Federal minimum wage finally in effect, the average annual earnings for farm workers run to substantially less than half the poverty level set by the Federal Government.

A bill to give them the same organization and bargaining rights that now prevail for all other workers has been reported out by the House Committee and is now bottled up in the Rules Committee. In the Senate the subcommittee on migrant farm labor headed by Senator Harrison Williams of New Jersey, has endorsed a similar measure. The big question is whether it can move this week through the full Senate Committee on Education and Labor. The Republican members have indicated that their strategy will be to boycott the sessions in the hope of blocking a quorum and thus killing the bill.

The measure has twelve Democratic sponsors in the Senate. It deserves the support of both parties. Unionism has won a small foothold in California's vineyards, thanks to the inspirational leadership of Cesar Chavez, but even there the infant United Farm Workers has had to rely heavily on strikes and boycotts.

Agriculture is becoming big business. It is time that the 1.5 million laborers on the largest farms were brought under the umbrella of industrial democracy.

WHAT IS THE REAL PROBLEM?

Mr. FANNIN. Mr. President, in the current mood of our Nation there hangs a question. "What shall we do to prevent another tragedy befalling one of our public figures?" From this question then arises many "solutions," each clamoring for public attention.

I suspect that we have made a significant mistake here, Mr. President. We should be asking, "What is the problem?"; rather than, "What is the solution?" Our emphasis at the moment seems entirely concentrated on finding solutions. When we have these hastily fashioned answers in hand and try to put them into effect, we may well find that the solution does not fit the problem.

This is my fear.

I think it is shared by a large majority of the people in this country. I would call to the attention of the Senate an editorial and article appearing on the editorial page of the June 12 edition of the Tucson Daily Citizen. The editorial speaks directly to this question of where the problem actually resides; the article, by Paul Harvey, touches on the same area. Mr. President, I ask unanimous consent that the two items which I have mentioned be printed at this point in the RECORD.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Tucson Daily Citizen, June 12, 1968]

MOOD, NOT LAWS, NEEDS RESHAPING

The hysteria that has gripped the nation since the assassination of Sen. Robert F. Kennedy becomes as senseless as the assassination itself if there is no accompanying facing the facts.

A man has been murdered and this is a crime. This man was a man of great stature and public affection. He also was a husband and father of 10 children. This murder was shocking to the extreme.

A promising career in public life has been terminated and this should be lamented. A prominent and respected family once again has been cruelly shattered and this is heartbreaking.

But to use Sen. Kennedy's death—any more than the death of any faceless victim of violence in the nation today—as a peg on which to hang new government restrictions is to ignore the mood of the nation itself.

That mood—for whatever the rational cause—is a mood of violence.

And it is the national mood of violence, not the laws of the nation, that must be changed and reshaped.

The President has requested quick passage of gun control laws. So have members of Congress.

Many stores have self-righteously said they will forego the sale of guns and ammunition. And some gun-owning citizens have been pictured turning in their guns to police.

How foolish it all will sound some day when the mayor of San Francisco, in fact, recalls that he once urged citizens to turn in their guns with the vague promise that "no questions would be asked." He did not—and perhaps could not—suggest what questions should be asked of law-abiding citizens turning in legally possessed firearms.

Certainly there are persons who never should own firearms. There also are persons who never should own knives, throw rocks, drive an automobile—or even wear shoes.

Only a short time ago, Tucson was shocked to learn how a teen-age girl had been stoned to death in the desert. And, only a few weeks ago, two teen-agers, in Phoenix, forced their way into a third teen-ager's home and kicked him to death.

It is common for victims of violence to be stabbed to death. All too frequently victims of sexual assault—again part of the national mood of violence—are choked to death. And in Tucson alone last year, three persons were beaten to death. No one will ever know how many times a motor vehicle has been used as an instrument of murder.

Whatever weapon a scheming person conditioned to violence demands as his instrument of death, he can obtain—regardless of laws in force to control that weapon. And when a person explodes in violence, that person brutally will attack with any available weapon—be it a shoe, a rock, a knife, a baseball bat or his fists.

America truly is gripped in a mood of violence and the assassination of Sen. Bobby Kennedy epitomizes this mood as did the assassinations of Dr Martin Luther King and President John F. Kennedy before him.

But could it not be, in the jargon of today, that each assassin was only "doing his thing," being true to his own twisted scruples—and only carrying today's mood of violence to its inevitable, chaotic conclusion?

If it has become moral to resort to violence, to defy laws that the individual himself may judge unjust, then is not the assassin apt to find no moral bar to the taking of a life he finds contrary to his own contorted perception of justice?

When a nation and its people condone trespassing though technically illegal, and robbery in the name of civil rights, and violence in the name of student unrest, then doesn't murder logically follow? When one law can be taken into private hands, cannot all laws?

Three decades of almost constant war, two decades of uncontrolled television mayhem and the current unrelenting and permissive civil disobedience have contributed to the mood of violence.

No new action of Congress by itself can change that mood. Nor can that mood be changed overnight by any sentimental waxings.

The will to lead the nation away from violence can come only from a people sick of lawless acts that rob men and nations of their dignity. The change can come only when men decide to live within a restored moral code that demands respect for man and law.

Only then can a troubled nation overcome the mood that has America in its grip.

AMERICA NEEDS SPIRITUAL REVIVAL

(By Paul Harvey)

"Let us, for God's sake, learn to live under law!"

With those words the President of the United States responded to the assassination of Sen. Robert Kennedy.

But President Johnson was talking about all manner and all degrees of violence—on campuses, in public buildings, on main streets—and dark side streets.

The statement and the events which inspired it should have a sobering effect on all rational men. Now we have seen so graphically the inevitably ugly results of disrespect for law—surely rational men will sober up and cease and desist from the small crimes which lead to big ones.

But what of the irrational persons inevitably included in our conglomerate sardine society?

Sirhan Bishara Sirhan entered our "melting pot" but didn't melt. He retained a fanatical allegiance to his mother country, Jordan.

Lee Harvey Oswald, at least for a while, let his responsibility to his homeland be superceded by a distorted preoccupation with Castro's Cuba.

What I'm saying is that a presidential commission designated to determine what causes violence is going to seek a rational explanation for the behavior of irrational persons, and there is none.

I recall during the height of the national controversy over Sen. Joe McCarthy my own life was threatened.

Scheduled to speak in a certain Southwest-

ern town, I arrived to discover an extraordinary escort of police at the airport and FBI agents guarding my hotel corridor.

These precautions, resulting from receipt of an unsigned postcard, I found embarrassing.

I telephoned FBI Director J. Edgar Hoover. "Anybody intending to shoot me is not going to send me a warning," I protested.

Director Hoover's response was firm: "You can't rationalize what an irrational person is likely to do!"

He went on to explain that if the protection were to be withdrawn—then anything should happen—the bureau would be in trouble for ignoring the warning. The guards remained.

I relate the experience only to underscore the problem facing the President's new commission as it undertakes to explain or anticipate what an Oswald or Sirhan is likely to do.

When the investigators have done their best, have piled more laws on laws vainly trying to provide salvation by legislation, Americans may then recognize that the only way out is up; that the change must be made in the hearts of men.

Our beloved republic, born in pain out of a spiritual God-man wedding, has backslid so far that it now must be born again, one individual at a time.

We don't need more laws. All we need is renewed respect for the Basic Ten. If to a sophisticated generation it sounds "corny" to propose spiritual regeneration, so be it.

This generation will accept the narrow gate to heaven—or live in hell right here.

KILPATRICK ON RESURRECTION CITY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a letter to the editor, which appeared in today's Washington Evening Star. The letter was written by Gladys L. Baker under the heading "Kilpatrick on Resurrection City."

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SIR: Bravo, James J. Kilpatrick! A vast amount of sham indeed! Welfare must be given, of course—to those who are truly unable to provide for their own necessities. But for these thousands, and hundreds of thousands—yes, millions—of able-bodied, healthy men and women in their prime years to sit in idleness while badgering a working population to "give" the fruits of their endeavors to provide the idlers not only with the necessities of life but with the comforts as well is unthinkable. Let me tell you about my family.

There are nine of us children who grew up in the State of South Dakota during the depression years where the economy of that state was sorely hit during that time with the area ravaged by the drought and by the dust storms that devastated the midwestern states. We knew poverty intimately. And yet during all those terrible long, anxious, destitute years, my father accepted for himself and his family not one cent of relief from any charitable agency, private or governmental. He did not go on "WPA;" but he did work hard, long, back-breaking hours seven days a week.

MY MOTHER

My mother cooked and scrubbed and canned produce from our own garden, sewed all the clothing for her large active family. (My first "store-bought" coat was for my twelfth birthday.) I can remember Mother carefully ripping apart adult garments, washing and pressing and "turning" the fabric to make our smaller coats and dresses and underclothing on a treadle sewing machine. She taught us girls to sew, and I still make most of my own clothing.

Each spring my father plowed and planted a large vegetable garden, after working from 12 to 15 hours at his job, and we children knew as a matter of fact that we were to tend the garden and, under father's eagle-eyed supervision, make it produce the food that would be on the family dinner table. I hated the weeding and hoeing and picking and digging. We all did—it's hard on the back, and it gets awfully hot and sultry in the summer sun in Dakota—but we did it. And we had good food on our table in the summer with a cellar stocked with our own carrots and turnips and cabbages and potatoes for the long, cold, blizzard-driven winter.

There were hundreds of Mason jars in long, gleaming rows of tomatoes and green beens and corn and peaches and pears and strawberries and applesauce and jelly and jam and pickles that we girls helped Mother "put up" in a steaming kitchen in those torrid August days—without benefit of air-conditioning. And the excess garden vegetables that would quickly perish, we children were instructed by a thrifty and watchful father to gather and wash and neatly tie into bunches, put in our little red wagon, and sell from door-to-door to the housewives on the "west side"—the more prosperous section of town. And I loathed doing that!

And so we grew up in a poor state during hard times, and, as I said before, with not one of us having eaten the stale bread of charity. Charity, in the thinking of my parents, is something to be given not taken. I can remember my mother setting a bountiful repast before the "tramps" who came to our back door in an endless procession during those depression years from earliest chilly spring on through the lovely, hazy autumn until snow began to fly. None were turned away. Some offered to work, some didn't; all were fed and given sandwiches and such to take with them.

MY FATHER

Let me tell you about my father. He was born in a sod house on the prairie near Yankton, South Dakota, where his parents had staked out a homestead. Can you think of anything more "under-privileged?" Can you visualize living in a rude structure, part cave, part wooden shanty in the howling blizzards of Dakota winters and the searing heat of those prairie summers? And can you visualize wresting your very sustenance from that hostile land with no corner market or drug store or clothing store or doctor or even neighbors? Our forebearers knew poverty intimately, but not welfare or charity. They were proud, strong, purposeful people who asked for nothing from any person and certainly not from their government.

My father's father, while staking his claim, also rode for the pony express, and he was robbed of his pouch and killed and his body thrown into the Missouri River leaving my grandmother young and pregnant and alone on that vast prairie with my father, a little boy of three. Later Grandmother made her way to the little village of Sioux Falls where she took in washing and ironing to support herself and her two children. She did not go on welfare.

My father went through only five grades of grammar school, and when he was but ten years of age, he was taken out of school and put to work. There were no public appeals to "send this boy to camp." And yet he grew to manhood—largely through his own efforts; he became owner of a fine butcher shop—entirely through his own effort. He married, had a family, lost his business in the great depression, and became an employee again instead of a shop owner; but he fed and clothed his family, paid for his home, and eventually again opened his own business. But how hard he worked!

UNDERPRIVILEGED?

This sounds like an under-privileged family? Don't you believe it! We grew up to be diligent, honest, useful people. None of us has asked for—nor would accept—welfare or charity or relief and would consider it "beneath our dignity" to do so. We go to church, we vote, we argue politics; but we pay our taxes, we own our homes, we pay our bills, we send our kids to college and our men to war when called to do so. We gripe a lot, but we don't make a public nuisance of ourselves; and we're proud to be Americans. We grew up knowing that the people support their government; the government does not support its people.

This story of my family is not an unusual one—it could be duplicated, matched, or elaborated upon by every community in the country. Let our lawmakers now have the wisdom not to emasculate a large portion of our population by the lavish and unwise distribution of charity and thus deprive them of the privilege to develop their characters and the characters of their children.

Guaranteed annual income?

GLADYS L. BAKER.

SILVER SPRING, MD.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

EXTENDING AUTHORITY OF EXPORT-IMPORT BANK IN ORDER TO IMPROVE THE BALANCE OF PAYMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 3218) to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its consideration.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the pending business take place at 2 o'clock tomorrow, notwithstanding rule XII.

Mr. BYRD of Virginia. Mr. President, reserving the right to object, may I ask the majority leader a question?

Mr. MANSFIELD. Yes, indeed.

Mr. BYRD of Virginia. Mr. President, how does that affect the time limitation presently in effect?

Mr. MANSFIELD. It affects it in no way. We can, if the Senator wishes, vacate that time limitation, or we can extend it, whichever is his wish.

Mr. BYRD of Virginia. As I understand it, under the unanimous-consent agreement of last Thursday, the time limitation on the bill is 1 hour on each side.

Mr. MANSFIELD. That is correct.

Mr. BYRD of Virginia. Now, under the unanimous-consent agreement that the Senator from Montana proposes at this time, where is the time limitation?

Mr. MANSFIELD. Just to keep within the confines of the agreement announced; and I further ask unanimous consent that the time from 1 o'clock until 2 o'clock tomorrow be equally divided be-

tween the majority and minority leaders, or by whomever they may designate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of Virginia. We have not gotten to the other unanimous-consent agreement yet.

Mr. MANSFIELD. Yes. That would still hold, and be extended; or, if the Senator insists, it can be vacated.

Mr. BYRD of Virginia. No; I do not wish to insist, Mr. President, as long as I am clear on how it is to operate. Suppose the Senator from Virginia wishes to speak an hour and the Senator from Iowa wishes to speak an hour in opposition. How do we do that?

Mr. MANSFIELD. Just extend the time; and I can assure the Senator there will be no trouble.

Mr. BYRD of Virginia. I thank the Senator from Montana. I have no objection.

The PRESIDING OFFICER. Without objection, the provisions of rule XII will be waived, as requested by the majority leader, and the unanimous-consent agreement is entered into.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

Ordered, That on Tuesday, June 18, 1968 the Senate proceed to vote not later than 2 o'clock p.m. on the final passage of H.R. 16162, to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States.

Provided, That debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited not to exceed one-half hour, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from Maine [Mr. MUSKIE].

Provided further, That debate between 1 and 2 p.m. on June 18 be equally divided and controlled by the Senator from Maine [Mr. MUSKIE] and the minority leader. *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1214, H.R. 16162, and that the unanimous-consent agreements that have been reached apply to H.R. 16162.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 16162) to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States.

Mr. BYRD of Virginia. Mr. President, reserving the right to object, as I understand it, the Senator from Maine proposes to substitute the bill passed by the House of Representatives for the Senate bill.

Mr. MUSKIE. The Senator is correct. This would make the House bill the pending business, subject to amendment and debate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maine? The Chair hears none, and it is so ordered, and the unanimous-consent agreement will be applicable to H.R. 16162 instead of to the Senate bill.

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that any time allotted under the agreement to the majority leader be allocated to the Senator from Maine [Mr. MUSKIE].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, on behalf of the joint leadership, I assure the Senate that if any extensions of time are needed, those extensions will be forthcoming without objection.

Mr. BYRD of Virginia. Mr. President, I thank the Senator.

The PRESIDING OFFICER. The bill is open to amendment. The Senator from Maine is recognized.

Mr. MUSKIE. Mr. President, today we consider H.R. 16162, a bill which is a part of the administration's overall legislative and administrative program to restore equilibrium to our balance of payments. This legislation, which is a companion bill to S. 3218 recently reported by the Senate Banking and Currency Committee, was passed by the House last Wednesday. However, several substantive changes were included in the House bill which are not part of the reported Senate bill. With the exception of one of these amendments which needs clarification, I think the House has made constructive changes. I understand that the minority leader will offer an amendment to clarify the meaning of that House amendment. I plan to discuss briefly the other changes made by the House.

This legislation seeks to help our balance of payments by creating a special fund for loans, guarantees, and insurance within the existing statutory authority of the Export-Import Bank. The bill would stimulate the export of U.S. goods to foreign buyers which do not meet present Eximbank statutory criteria but, nevertheless, should be financed in order to improve the balance of payments and foster the long-term U.S. commercial interests.

As Senators are aware, the United States has experienced a deficit in its balance-of-payments position for 17 of the last 18 years. The administration has placed a very high priority on measures which would contribute to the improvement of this situation. The extended period of deficits in our balance-of-payments accounts has shaken world confidence in our ability to maintain the soundness of the dollar. Foreign countries have begun to doubt whether the United States will take constructive steps to reduce these deficits.

The recent gold crisis has again highlighted the fact that our friends abroad have serious misgivings about our intentions to bring about improvement in our accounts. While the situation in the gold markets has been temporarily eased with the establishment of the two-price system for gold, I think it is fair to describe conditions in these markets as remaining uncertain. And while we can take encouragement in the fact that the world's major international bankers only recently agreed to proceed expeditiously with the special drawing rights system which, hopefully, eventually would replace the dollar as the principal reserve currency of the world, it is imperative that we still take action to protect the dollar. Congress has recently approved legislation authorizing U.S. participation in the special drawing rights plan.

It is true that the strength of the dollar abroad depends to a very great extent on our payments system. The international monetary system which rests so largely on the dollar would be greatly strengthened by elimination of the U.S. payments deficit. A stable international monetary system is essential to assure expanding world trade and a prosperous international economy.

Senators will recall the comprehensive balance-of-payments program that was undertaken by the President on January 1 of this year. Many of us did not feel that some of the proposals that were recommended would be in the best interests of the United States. For instance, there has been quite a bit of controversy surrounding the administrative program to cut back foreign investment by American industry and foreign lending by our banks. It has been argued by many of our major exporters and bankers that these measures will be counterproductive in terms of contributing to our payments position. I am informed, however, by the Commerce Department that certain aspects of the program to curtail foreign investment are being reconsidered.

The administration has also announced that it would cut back on Government expenses by reducing the number of U.S. personnel working overseas and trips made to other countries by Government employees. We have also embarked upon a program to encourage increased foreign investment and travel in the United States.

In addition to the tourist tax which appears stymied in the House, the President recommended legislation to authorize a $2.4 million supplemental appropriation to enable the Commerce Department to launch a 5-year program to promote American exports in trade fairs and shows. Legislation has also been introduced to extend the present authority which allows domestic banks to pay interest rates to foreign government depositors without regard to interest rate ceilings applicable to domestic depositors. The President also proposed a more liberal rediscount program by Eximbank to enable banks further to help firms increase their exports.

However, the thrust of the present legislation is to stimulate the export of U.S. goods and services to foreign buyers. It has been most disturbing to observe that our trade surplus has been decreasing rather rapidly in the last few years. While we enjoyed a trade surplus of $6.6 billion 4 years ago, the surplus dropped off to only $3.6 billion last year. In 1967, we exported some $30 billion worth of products—the highest in our history—which must be increased in order to meet foreign competition if we are to expect improvement in our balance of payments.

The Commerce Department has reported disappointing trade results for the first quarter of 1968, when imports rose by 17 percent while exports increased by only 3 percent over the same period of 1967. Should the trend of the first quarter be extended through the entire year, the trade surplus for 1968 would be considerably less than the surplus of $3.5 billion for 1967. Figures for March indicate that imports exceeded exports by $157.7 million, the first time since 1963 that the United States in any month failed to send abroad more merchandise than it purchased abroad. While there may be a number of factors which account for the sharp downswing in exports, such as the longshoreman's strike, the copper strike, the buying of foreign steel as a hedge against a domestic steel strike, and the inflation of prices of U.S. goods, these latest figures are cause for grave concern. As our trade surplus diminishes, we will likely again have an unfavorable payments balance. While the April figures from Commerce show some improvement in the volume of U.S. exports, our overall trade is still not good.

Clearly, Congress must take action to reverse this undesirable trend by authorizing appropriate legislation to expand trade. The Export-Import Bank has done a most commendable job of helping to finance the export of U.S. goods and services. During its over 30 years of operation, the Bank has been involved directly in billions of dollars of loans and has made possible by participating in other loans with banks and by guarantees and insurance a much greater amount of exporting.

However, I do detect a feeling on the part of many bankers and exporters that Eximbank may have been a little too conservative in carrying out the intent for which the Bank was originally created—that of expanding the sale of American goods to other countries. Complaints have been expressed by exporters that Eximbank has appeared overly concerned about the record of its own losses, rather than the active pursuing of the objective of expanding exports. It may well be that many opportunities for trade have been lost for want of an aggressive, positive stance on the part of Eximbank.

The proposed legislation would provide that within certain prescribed limits, Eximbank may relax its present standards for financing. The new export expansion facility would permit financing for transactions with a distinct but acceptable credit risk. Under present law, Eximbank may not become involved in financing transactions, unless there is a "reasonable assurance" that the loan would be repaid. That phrase, to me, has acquired a very specific and demonstrable meaning in terms of the precedents which have been established by the Bank and its Board of Directors—a meaning which is binding upon the Bank in the exercise of its present policy, and which we have taken into consideration in reporting the proposed legislation.

The bill as introduced would have permitted Eximbank assistance under the new facility when the Board of Directors felt that in their judgment such transactions would contribute to improvement of our balance of payments. The House amended this part of the legislation so that Eximbank would be required to determine that any transactions pursuant to this legislation would offer a "sufficient likelihood of repayment." This amendment would tighten up the standard that Eximbank would be required to follow under the new program, and in my judgment, would tighten it up consistent with the testimony which the Bank gave to the committee.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. BYRD of Virginia. Would the Senator indicate what he means by "tighten up"? It would tighten up the Senator says, the Bank's obligation. Does the Senator mean tighten it up beyond what it is now?

Mr. MUSKIE. No. Tighten it up beyond what some fear might be the interpretation of the language reported in the Senate bill.

Mr. BYRD of Virginia. Would the Senator indicate the difference between "offer sufficient likelihood," on the one hand, and "meet reasonably tests of assurance," on the other hand?

Mr. MUSKIE. I will undertake to discuss that feature of the bill in my prepared remarks, and will be happy to go into it further to any extent to which it may be desired by the Senator from Virginia.

Mr. BYRD of Virginia. I thank the Senator.

Mr. MUSKIE. Applications would be reviewed by Eximbank to determine if the transaction could be supported under the regular direct loan, guarantee, or insurance program, or from private sources. A transaction that did not meet the traditional criteria used by Eximbank could then be considered in light of the new authority. These transactions would be specially designated on the books of the Bank.

Mr. President (Mr. PELL in the chair), the bill provides that for purposes of calculating charges against the Bank's $13.5 billion statutory authority, the full amount of loans and 25 percent of Eximbank's contractual authority under guarantees and insurance would be taken into account under the new authority. The total of loans would be limited to $500 million, or, theoretically, the Bank could have outstanding $2 billion in guarantees and insurance if no loans were involved. However, since some portion of the $500 million would be used for loans which are chargeable at 100 percent, the portion used under the new program should not approach the larger figure.

Under the amended House bill, loans in default under the new program would be charged off against the reserves of the Bank up to $100 million. The next $100 million of losses would be borne by the Treasury. There is some uncertainty under the House bill as to who would be responsible for any losses above $200 million, if the losses should ever reach that amount. Senator DIRKSEN, I understand, has some language to clear up any ambiguities about this particular House amendment.

It should be made clear that while the successful operation of the new program will undoubtedly be beneficial to the balance of payments, we should not expect it to work miracles in the early years of its operation. This program is the type of long-range farsighted approach that over time should yield substantial benefits to our payments accounts by stimulating additional trade. Hopefully, the new authority would permit our products to become established in new markets where the potential for follow-on sales is promising. It should help the United States more effectively to meet competition from other countries that push their exports aggressively.

Unfortunately, many U.S. companies are not now involved in the exporting of their products. Many others are only involved in exporting to a limited extent. The major reason for the lack of enthusiasm by many of our companies concerning the expansion into foreign markets has been that they have been able to sell their products relatively easily in domestic markets. It is hoped that this legislation will provide an incentive for many U.S. businesses to become more active in the exporting field.

Over the last decade, Mr. President, our exports have averaged about 4 percent of the gross national product. The level of imports as a percentage of GNP has been steadily rising in the last few years, and for 1967 it was 3.4 percent.

The objective of this legislation is to raise the level of U.S. exports perhaps to 4.3 percent or even higher over the next 5 years by penetrating new foreign markets and encouraging new exporters in the U.S. industrial ranks. We will have to count on the Export-Import Bank, which now finances about 10 or 11 percent of all exports sold on credit, to help us reach that objective.

The Export-Import Bank recognizes that it is only repayment of principal and interest, and not credit sales, as such, that will contribute to our balance-of-payments position.

Mr. President, I wish to emphasize that statement as it was emphasized over and over again in the hearings before the committee. The Export-Import Bank recognizes that it is only repayment of principal and interest, and not credit sales, as such, that will contribute to our balance-of-payments position.

Consequently, the Bank will by no means approve every loan application which it receives. The Eximbank has never been a soft loan agency, nor do we intend that the new export facility would be used for that purpose.

Mr. SYMINGTON. Mr. President, will the Senator yield at this point?

Mr. MUSKIE. I yield.

Mr. SYMINGTON. Is this, in effect, a softening up of loan requirements of the Export-Import Bank?

Mr. MUSKIE. It has nothing to do with the softening up of terms with respect to payment of principal or payment of interest. It would permit the Bank to consider credit risks, which, under its current authority, are excluded from support.

Mr. SYMINGTON. The Senator knows we had the World Bank, where we put in the soft loan window of IDA. Then

we had a Bank for South America, in which we put in the social progress soft loan window then we formed the Asian Bank. That one at least started out without a soft loan window, but now a major effort is going to get into it a soft loan window.

The one international setup we had that was apparently proceeding on what might be called a normal business basis under sound accounting or and loan principles, like any other reputable private bank, was the Export-Import Bank.

I am not on the committee involved, although as a member of the Committee on Foreign Relations I have watched with increasing apprehension all this desire to install soft loan windows everywhere, so as to, in effect, "tap the till" of the United States for the benefit of those outside of this country.

I was interested in the Asian Bank, into which we agreed to put money in December 1965.

This year, when the question of a soft loan window came up, we asked how much of that $1 billion in the Asian Bank had been loaned out; and found not one cent had been loaned.

I do not use the word in a derogatory sense, but if we "infect" also the Export-Import Bank with the same type and character of soft loan potential by saying, "You do not have to be reasonably sure that the loanee will repay," do we not, to some extent, destroy the last really business-like international bank we have in this Government today?

Mr. MUSKIE. As I understand the characteristics of the so-called soft loan to which the Senator referred, those characteristics have to do with terms of repayment, interest rates, downpayment required, and periods of grace where no payment of principal and interest would be required, and the like. There is nothing of that kind involved in this legislation. There was nothing of that kind involved in the form in which the Senate committee reported the legislation to the floor, and certainly that was not the intent. The amendments of the House of Representatives clarified that intent even more than the Senate version of the legislation.

For example, there is a House amendment before us, of which the committee approves, to the effect that the usual Export-Import Bank terms and interest rates would apply under the new program. There is no suggestion or hint in any testimony on the part of President Linder, or those representing the bank, that soft loans or any characteristics associated with that phrase would be intended under the bill.

Mr. SYMINGTON. May I make a short observation. I have served on many bank boards, as I know also has the Senator from Maine in his career.

There would appear to be no real difference between the softest of terms to somebody capable of repaying, and harsh terms to somebody incapable of paying.

Therefore, I do not think it entirely right to talk about the fact that, because the terms are not soft, the loan is automatically not a soft loan. The one thing any banker wants to know about first, when he lends, is: Will the loan be repaid?

Mr. MUSKIE. The Senator is absolutely right. However, again, it is a question of degree and semantics. We could describe the Export-Import Bank in its present authority as involving soft loans since in the sense it is intended to cover risks which are not conventional in conventional banking circles. To that extent, one might say they are softer than bank loans.

In the same way, one could call the Small Business Administration a soft loan agency in the sense it is intended to provide lending authority in those instances where credit is not available from private banking circles. Indeed, a condition of the SBA law is that a showing must be made by the borrower that he cannot get the loan from conventional banking circles. I cite this example not in direct response, but to show the difficulty in spelling out semantically the difference between the application of the bank's present authority—that interpretative job gained by years of experience and the new philosophy in the House bill before us, that of substantial likelihood of repayment.

The bank meticulously reshaped present policies and one has only to study the description of that policy. The phrase "reasonable assurance of repayment" has not only an illustrative effect but it is a positive restrictive effect that may not have been the intent when that legislation was first adopted.

So the bank will not breach here its expressed authority or even its interpretation of that authority because of its commitment not only to the statute but to interpretation of the statute.

If we had the original language "reasonable assurance of repayment" before us in today's world climate without the precedent, it is conceivable that the bank could use that authority in the way it intends to use new authority, if granted, but it is bound by precedents and now undertakes to expand its authority.

Mr. SYMINGTON. Mr. President, let me make another observation. No one is more for the Small Business Administration than I. No one has greater respect for the ability of the Senator from Maine in this field, and in many other fields. But when he describes comparability of this development, the Small Business Administration, I believe he answers the point I was trying to make.

Mr. MUSKIE. I do not think the Senator should draw the conclusion the words might imply. All I am trying to show is that when one is in the process of applying for funds of this kind, case by case, the loan applications, which vary in degree and purpose as to credit risks, represent a degree of subjective judgment in which it is difficult to spell out guidelines for in this legislation.

All I am trying to suggest, by comparison with the Small Business Administration, is that various administrators of SBA have had similar problems in undertaking to apply policy to classes of risks not acceptable to banking authorities. It is that kind of difference that the Bank would be involved in interpreting. It is a vague, subjective kind of thing. I am not trying to suggest that the SBA is the precedent for this legislation.

Mr. TOWER. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I yield.

Mr. TOWER. If the Senator from Missouri would forbear for a moment. Under the present language of the act which in bankers' terminology is highly restrictive, we cannot adjust to the Indonesia situation, where Sukarno collapsed the entire economy of the country, expropriated everything, and threw out the entrepreneurs from all over the world who had invested in his country. That regime has been overturned, and still the Indonesian economy is in a state of collapse.

Now there is in existence in Indonesia, under Suharto, a government which has been trying to get Indonesia back on its feet, and to bring back foreign investments to develop the country which has great resources for development. Under the present state of its economy and its monetary system, the old provisions of the Ex-Im law would serve as a restriction on any effort on our part to encourage investment of American capital in Indonesia and to aid in the process of rehabilitating the country which is potentially a great ally of the West.

Mr. SYMINGTON. I do not know of any objection to lending money to Indonesia. But we have already given away over $180 billion—more than half our debt—to other countries. I saw recent figures to the effect that the U.S. debt is $43 billion more than the total debt of all the other countries in the world combined. I have watched with a sort of fascination, this operation develop. When we cannot give or soft-loan lend any more on a unilateral basis, we begin to search around on a bilateral basis. That is what happened to the World Bank, to the Asian Bank, and to the IDA Bank.

I was hoping there would be one bank left where the question of how the board of directors decided they would use the taxpayers' money would be comparable to normal business practice.

We often find that the very country we are supporting is the country which shortly turns its political government into a different type and character. In justification of that remark, I would refer the able Senator from Texas to a recent article in the Saturday Evening Post which starts off with a quotation from the head of the Vietcong expressing his gratitude to the United States. He says they never could have lasted if it were not for the materiel and supplies this country had been good enough to send them, even if it was done indirectly. Sarcastic no doubt, but effective.

Mr. TOWER. If I could pursue the point further. I understand what the Senator is referring to. In any case, the point that I was trying to make is, I think there is a good potential in Indonesia for the United States to help develop that country. Under the prevailing language in the current legislation, the lenders and their associates could conscientiously loan money to the extent that it could be regarded as a good risk. Once we get the infusion of capital, we could go ahead and orient it later. Indonesia is devoting 90 percent of its efforts to civic actions rather than to mili-

tary, so that I think ultimately this is a good risk for us, another potential for us, because this country is so tremendously great in resources that it could be a wealthy country.

Mr. SYMINGTON. Is this legislation based on sending money to Indonesia?

Mr. TOWER. Not entirely. I use Indonesia just as an illustration.

Mr. SYMINGTON. I would hope that just once, we could see some figures showing why it is important for us not to give or lend money to some other country, what with all the gigantic social and financial problems we have here at home, plus all the wars and war preparations we have around the world. Maybe we could withdraw a bit, instead of constantly expanding, to the point where it affects the security of the United States. I believe an economic collapse would, in the long run, be just as serious as a military defeat.

Mr. TOWER. I think the Senator from Maine has answered that question; that what we are doing here is engaging in an exercise in semantics as to what is a risk. We cannot stick by the dogmas of the past. We must make progress and, therefore, we must adjust the language to the times.

Mr. MUSKIE. Mr. President, let me finish my prepared remarks at this point.

I emphasize again that the Export-Import Bank has never been a soft loan agency, nor is it intended that the Export-Import Bank's new expansion facility would be used for that purpose. The objective here—in further response to the distinguished Senator from Missouri—is directly in our national interest; that is, to improve our balance-of-payments position.

In other words, the new authority would not be in any sense a form of foreign aid—another AID program—where long terms and low interest rates are customary. Eximbank's usual repayment terms and standard interest rates would apply under the new program. "Usual repayment terms" are understood to mean the downpayments and maturities which are normally used in international trade for goods being sold, unless it is demonstrated that longer terms are necessary to match offers of government-supported credit being extended by our foreign competitors for a particular piece of business. Standard interest rates at the present time are 6 percent for a direct loan to a foreign borrower. A House amendment would write into the law a provision that the usual Eximbank terms and interest rates would apply under the new program.

Eximbank expects normal cash payments and exporter participation in transactions to the same extent as are now applicable under the regular program. Most of the new authorizations will be for short and medium term transactions, usually on terms providing for repayment over a period not exceeding 5 years. Most of the new transactions would be financed by U.S. commercial banks under Eximbank's guarantee, or by the exporter himself under an insurance policy provided by the Foreign Credit Insurance Association in conjunction with Eximbank.

The program would concentrate on short and medium term transactions since the sooner the dollars flow back into this country, the more help will they be in alleviating the balance-of-payments crisis.

Eximbank does not plan to instigate an international credit war by making its terms too attractive.

Eximbank could, under the new authority, consider loans where the credit worthiness of the customer may not be first rate, or where the customer is located in a country in which Eximbank may be overexposed from past loans. Eximbank could give more consideration to making loans in those countries where potential political problems might otherwise deter them. It is also contemplated that credits would be extended to developed countries as well as to the less-developed countries.

The new program could be extended to countries that are being phased out of the AID program. This could include those countries where the external debt is fairly high and traditional credit terms are not available, and where new businesses appear to be getting underway. Eximbank might also contemplate making additional credit available to foreign buyers who may now have a $50,000 line of credit from our exporters by expanding this amount to $75,000.

The new export expansion facility, had it been in effect, could have been used in a number of different types of transactions, several of which I shall mention:

First. The special account could have been utilized to finance the sale of diesel locomotives to a Latin American country, which would have assured substantial follow-on sales of spare parts thereafter and would have given American firms a favored market position on future orders of locomotives.

Second. The special account could help assure as much as $500,000 annually in sales by an American firm to an African customer.

Third. If available at the time, the special account might have assured approximately $20 to $25 million in sales from the United States to Iran in compressor equipment for a petrochemical plant.

Fourth. The special account could have assured the sale of an electric power generating unit for Korea.

Fifth. The special account would permit Eximbank to increase its financing for priority exports to Brazil.

I ask unanimous consent to insert in the RECORD following my remarks a more detailed explanation of these transactions from the Commerce Department.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MUSKIE. Mr. President, these illustrations from the Commerce Department are intended to suggest ways in which the special authority might have been used in the past and in which it might be used in the future if the Bank is given that authority.

In order to provide guidance to the Export-Import Bank in administering the new account, the President announced when he proposed this legislation that he will establish an Export Expansion Advisory Committee, chaired by the Secretary of Commerce. Applications for loans, guarantees, and insurance would be examined, processed and developed by Eximbank personnel. The Advisory Committee would be available for consultation in connection with those transactions which did not meet the standard Eximbank criteria. The panel would be made up of various experts in this field.

The House amended the bill to prohibit any Eximbank assistance under the new program in connection with the sale of defense articles or defense services. Although Chairman Linder stated in unequivocal terms that the new authority would not be used for such purchases, I think it will be helpful to have this prohibition written into the legislation.

In conclusion, I believe the new program can make a valuable contribution to our balance of payments. This legislation was supported by all the interested agencies of Government, including Eximbank, Treasury and Commerce Departments, as well as by exporters and bankers active in this field. There appears to be general agreement that the legislation will be helpful in expanding our trade. Mr. President, I urge that the Senate act favorably on this legislation.

EXHIBIT 1

EXIMBANK OVEREXPOSURE IN IRAN

If available at the time, the special account might have assured approximately $20 to $25 million in sales from the United States to Iran in compressor equipment for a petrochemical plant.

An American bidder was invited to supply $20 to $25 million of gas engine compressors and auxiliary equipment in which the firm had technical leadership. In addition to the initial order, follow-on orders of $200,000 in spare parts were expected. Market penetration also was involved in this transaction, since a successful bid would have placed the firm in a position to bid on additional equipment for an Iranian petrochemical plant. European firms allegedly were able to offer favorable credit terms supported by their governments.

Eximbank was unable to respond affirmatively because of its current high level of commitments in Iran, and potential U.S. exports were lost to firms in Europe.

Iran has substantial promise as a market for U.S. exports. If American exporters are to achieve their full potential in this market, it will be necessary to make available more adequate and more flexible financing.

MARKET PENETRATION AND FOLLOW-ON SALES IN LATIN AMERICA

The special account could have been utilized to finance the sale of diesel locomotives to a Latin American country, which would have assured substantial follow-on sales of spare parts thereafter and would have given American firms a favored market position on future orders of locomotives.

A Latin American railroad asked for bids on 60 diesel locomotives worth approximately $10 million. Besides the initial order, follow-on sales of spare parts over the next 17 years would have amounted to approximately 15 to 30 percent of the value of the initial order. Placement of American equipment in this market would, moreover, have assured American companies of a favored position for future diesel orders.

Because of the foreign exchange difficulties of the particular Latin American country involved, Eximbank was able to offer only credit terms that were less competitive in interest and in maturity than that offered by a European firm. The export was lost to the United States.

KEEPING A BUYER IN AFRICA

The special account could help assure as much as $500,000 annually in sales by an American firm to an African customer.

A government bus line in an African country has been buying up to $500,000 of tires a year from a large American manufacturer on a c.o.d. basis. Now several foreign companies are seeking to break into the market by offering 1-year credit.

The American firm countered with six-month credit terms and believed it could have kept the customer because of its superior product. However, for its own protection the American firm asked Eximbank for credit insurance against the possibility of non-payment.

Because the bus line does not operate on a profit-making basis and is partially dependent on a government subsidy, Eximbank was unable to offer the insurance, unless payment was guaranteed through a bank letter of credit. This condition led the bus company to shift its order to a Belgian competitor, with the loss of $500,000 in sales for the United States this year.

SELLING TO A COUNTRY WITH HIGH DEBT-SERVICING OBLIGATIONS

The special account could have assured the sale of an electric power generating unit for Korea.

The Korean Government applied to Eximbank to finance one unit of a two-unit power plant on commercial terms. Another unit was to have been supplied by an American manufacturer under AID financing. The United States is competitive in this type of plant, and it would have been sensible to have an American supplier for both units in order to take advantage of equipment and spare parts compatibility and a unified staff of technical personnel. Eximbank was unable to finance the project because of some uncertainties regarding Korea's foreign exchange position in the 1970's reflecting increased foreign debt repayments. Also, the project would have preempted funds for other Korean projects Eximbank was considering at the time. Subsequently, the order fell to a German firm with financing on commercial terms.

Present indications are that Korea will continue to develop rapidly and to maintain a high level of export earnings and imports. Whether American or foreign suppliers meet Korea's import needs will depend largely upon the availability of financing. Several other Korean power projects have been supplied by foreign competitors on terms varying between 5 to 20 years.

It also is worthy of note that the Japanese have normalized their relationships with Korea, and they have agreed to put in $800 million of tied assistance over 10 years, $300 million of which are on commercial terms. The Koreans would very much like to diversify their sources of supply and have asked us to increase our commercial presence in Korea. The Department of Commerce plans to step up its trade promotion activities in Korea, and it would be most useful if more flexible U.S. credit facilities were available.

EXIMBANK EXPOSURE IN BRAZIL

The special account would permit Eximbank to increase its financing for priority exports to Brazil.

Brazil's international credit standing has taken a turn for the better in recent years, partly as a result of the healthier economic climate fostered by our economic assistance program. Foreign businessmen have taken advantage of the more favorable market situation and have expanded their exports to Brazil, in part through liberalizing their credit terms to Brazilian customers. Due to Eximbank's considerable exposure in Brazil of over $600 million, it has been forced to hold back on financial commitments in this promising market; and export sales have been lost by American suppliers.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. MUSKIE. Yes; I am happy to yield.

Mr. BYRD of Virginia. Before the Senator from Virginia can determine whether to support or oppose the legislation, he would need to know how the criteria to meet the test of the likelihood of repayment differs from the current criteria to meet the test of reasonable assurance of repayment. What is the difference between the two?

Mr. MUSKIE. I think I can say to the Senator only that the difference can be perhaps suggested by the kinds of illustrations which I have put in the RECORD.

Let me say this to the Senator: Suppose we had before us, not the present language, but the language of the present law, "reasonable assurance of repayment." Suppose we had that language, without any background in the context of the present world of international finance, and the floor managers of the bill was asked to explain under what situations loans would be made under that kind of language. I think the Senator would have as much difficulty in trying to describe the exact application of that language as the Senator from Virginia and I are having with respect to the language before us.

We went into it at considerable length with Chairman Linder, in the hearings and outside the hearings, to try to get the difference spelled out as explicitly as possible. Unfortunately, that is not possible unless you have the applications before you.

We can say these things about it. First of all, the language as added by the House bill, will be somewhat more liberal than the present language of the statute. We can say, secondly, the present language is somewhat more restrictive than would be the case under the new authority. We can say, thirdly, that the directors of Eximbank, in applying their present policy, have undertaken to do so with great meticulousness and with an exercise of self-discipline and self-restraint in the light of their interpretation that the words of their present authority have a clear meaning in credit terms. Eximbank will consider the new language with the same conservative approach that they use with respect to their present authority.

There is no way for me or anyone else, other than by examples from the Bank's record, to spell out what kind of loans would be approved and what kind of loans would not be approved.

We can say about this authority, further, what I have already undertaken to say in my prepared remarks; that is, that the new language will not mean any relaxation of the down payment requirements; that it will not mean any relaxation with respect to the repayment of loans; that it will not mean any relaxation with respect to the interest charge; and other traditional terms will not be relaxed.

We are talking about situations with respect to foreign countries and businesses purchasing U.S. equipment dealing with exporters, from our country, who are not now in the field, and the Bank considers that there is a promise of improving our payments position while still retaining sufficient likelihood of repayment.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. TOWER. What the Senator is saying, is he not, is that certainly this is not a soft loan under the terms of the loan. As a matter of fact, the terms remain the same. They are, in effect, hard terms. What we are talking about is the fact that we want to go into the areas that could be considered higher risk areas under the conventional and traditional understanding of the language as it exists in the original bill.

What we are saying here is, that where there is a potential for repayment, and at the same time a potential for development, we do not want to be bound by existing precedent as established under existing language, which precedent might not have existed had that language been created in this session of the Congress. Would that seem to be a fair assessment?

Mr. MUSKIE. I think the Senator has said, in shorter comment than I, precisely what is involved here. It is difficult to be precise in detail with respect to the future application of a policy such as this.

Mr. BYRD of Virginia. Mr. President, will the Senator yield for another question?

Mr. MUSKIE. I yield.

Mr. BYRD of Virginia. I assume the purpose of the legislation is to assist or encourage the Eximbank to make more risky loans than it has made up to date. Is that a fair appraisal?

Mr. MILLER. Mr. President, will the Senator yield to me?

Mr. MUSKIE. In a literal sense, that is true; in the sense that the Bank would be in a position to entertain risks that it is not now willing to undertake in the same way that Small Business Administration considers risks, or the conventional banks of the country; but I do not know that it is fair to say that the words of the Senator imply that the SBA is going off the deep end in some way.

Mr. BYRD of Virginia. Mr. President, will the Senator yield for another question?

Mr. MILLER. Mr. President, will the Senator yield to me to allow me to help partially answer the question propounded to the Senator from Maine? I think it is pertinent. On page 29 of the hearings there is a memorandum to the Senator from Texas [Mr. TOWER] from Harold Linder. It is a memorandum in the form of a question and answer. One of the questions propounded by the Senator from Texas to Mr. Linder was this:

Question: The determination of "reasonable assurance" of the repayment is made by the Bank Board under the basic act and the Board will determine under this bill what transactions do not carry with them "reasonable assurance of repayment." Isn't it true that in its regular operations the Bank has approved transactions that might be classed on the riskier side of "reasonable assurance of repayment?"

Answer: Yes, we believe we have operated at the outer limits of our present authority in respect of some of our credits.

Question: Isn't it true that under the provisions of both the basic Act of the Bank and S. 3218 the judgment of the Board in deter-

mining Bank participation in transactions can run the gamut from no risk to a riskier than usual situation?

Answer: Export transactions supported under the Bank's existing authority do range from those with little real risk to those with a substantial degree of risk, even though the Board concludes that reasonable assurance of repayment exists. However, transactions under the S. 3218 authority will by definition all be on the riskier side, due to either commercial or political factors.

So, I offer this to the Senator from Virginia, because I think his question was very appropriate, to point out this subject has been covered by our colleagues from Texas in those questions and answers.

Mr. LAUSCHE. Mr. President, will the Senator permit me to make a comment on this point?

Mr. MUSKIE. May I say, first of all, there is no attempt on the part of the Senator from Maine or the Senator from Texas or anyone else to suggest that this does not open up the door to supporting riskier loans than those now permitted under the Eximbank's present statutory authority, as interpreted by the Bank over a period extending back to 1934.

Mr. BYRD of Virginia. Does the Senator say it does or does not do that?

Mr. MUSKIE. It does. The question was whether the bill represents a continuation of present policy or more liberal policy. Obviously it is a more liberal policy.

Mr. BYRD of Virginia. The Senator says he does want to emphasize that it does permit the Bank to make more risky loans than it has made in the past?

Mr. MUSKIE. That is correct. There is no question about it. Whether it goes beyond the bounds of a rational policy for our country, in the light of our present balance-of-payments problem, is a question which each of us must answer for himself.

The Bank has demonstrated over the period of its history for 34 years that it could follow a riskier policy, to use the Senator's phrase, than conventional banks were prepared to follow, and still operate within sound limits. It has still not only shown a record of minimal losses, but in addition, has been able to pay to the Treasury $535 million as a profit on its transactions.

The Bank is now saying to us that on the basis of this salutary experience, it is possible, in its judgment, that it is sound to liberalize the risks which the Bank would cover.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. MUSKIE. I am happy to yield.

Mr. BYRD of Virginia. What the Senator is saying is that the Bank is a bank of last resort in many cases, that it has taken higher risks, that that is one of the purposes of it, that the legislation was enacted so that it could and would take risks, and it has taken risks. Now, what this measure proposes that it do is go beyond that, and take even more risks?

Mr. MUSKIE. That is right.

Mr. BYRD of Virginia. Mr. President, I commend the Bank. I think it has done a good job.

Mr. MUSKIE. The bill reflects the Bank's recommendation.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. TOWER. I do not think I would support this recommendation were it not for the fact that the Bank's experience has been very good, even in higher risk areas.

Mr. BYRD of Virginia. It seems to me what we want to do is establish a forward looking policy that will stand for a good many years. I do not believe we can do that on a personality basis. As I say, I commend the Bank; I think it has done a good job.

Mr. MUSKIE. We did not suggest that this be done on a personality basis. Over 34 years, there have been a number of personalities involved. What we have, rather, is a 34-year period of policymaking that has not exposed the country's credit to unusual or unsafe risks, and has returned dividends to the Treasury; and it is on the basis of that experience over 34 years that the Bank now says, "Considering what we have done, the loans we have approved, and also the loans we have turned down, we are saying that we believe there is an area of larger risks into which the country could venture without undue risk."

Several Senators addressed the Chair.

Mr. TOWER. Mr. President, I might suggest since the experience has been so good even under a Democratic administration, it will be even better under the Republican administration that will take over in January of next year.

Several Senators addressed the Chair.

Mr. MUSKIE. Mr. President, may I make one further point lest it be lost?

What we are talking about is not the exposure of all the Bank's resources, but of $500 million in a separate fund—not the full $13.5 billion of the Bank's lending authority.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield to the Senator from Ohio.

Mr. LAUSCHE. I should like to explore further the quotation read by the Senator from Iowa consisting of questions by Mr. TOWER and answers in response thereto by Mr. Linder. I ask the Senator from Virginia to pay special attention:

Question: Isn't it true that under the provisions of both the basic Act of the Bank and S. 3218 the judgment of the Board in determining Bank participation in transactions can run the gamut from no risk to a riskier than usual situation?

The answer to that question, to me, is very important. Mr. Linder answered:

Answer: Export transactions supported under the Bank's existing authority do range from those with little real risk to those with a substantial—

I repeat, "substantial"—

degree of risk, even though the Board concludes that reasonable assurance of repayment exists.

My question of the Senator from Maine is this: If under the present law the Bank can assume substantial risks, under its definition of reasonable assurance of repayment, how large will the risks be when they go beyond "substantial" risks?

Mr. MUSKIE. I say to the Senator from Ohio that the sentence the Senator has read from the Bank's answer could be descriptive of the policy of many banks—at least of my bank, because I am borrowing money there, and I would say that I could be a substantial risk in some people's eyes, especially as they look forward to 1970, when I will run for the Senate again.

But let me say to the Senator, obviously there is a range of risks, with respect not only to the Export-Import Bank, but to the First National Bank on Main Street in any community of this country, if that bank is to participate in the life of the community and the life of the area, and engage in making developmental loans.

So the Bank, in using this langauge in response to the question from the Senator from Texas, is not responding in the sense the Senator interprets the answer at all.

Mr. LAUSCHE. I interpret it according to the language.

Mr. MUSKIE. "Substantial"? What is meant by substantial?

Mr. LAUSCHE. I suppose it means risks beyond what is reasonable. It has been making loans assuming substantial risks, but now it says, apparently: "We want authority to make loans that go beyond substantial risks," and I ask the Senator from Maine what is meant by taking risks that are greater than substantial.

Mr. MUSKIE. Mr. President, when the Senator equates the words "substantial and unreasonable," I have no answer for him. I can only say that, in my judgment, a risk can be substantial and still reasonable. It depends on how the Senator wants to react to those words.

Mr. LAUSCHE. Mr. President, if it is true that it can be substantial and still reasonable, then we need no modification of the law. The law now says that the loan or the risk may be guaranteed if there is any assurance of repayment.

Mr. MUSKIE. The Senator's best protection is exactly in the fact that the Bank will not breach its own policy.

I would agree with the Senator that if we begin all over again to deal with the words "reasonable assurance of repayment" without the Bank's precedents and concept of the limitation on the policies on which it relies, we could begin and go beyond the risk which the Board is now willing to approve, so that the Bank's reluctance to do that without this new kind of authority is the best protection the Senator could ask for, short of denying all authority.

Mr. LAUSCHE. The Senator has not yet answered my question. If the Bank now has the provision that when it finds there is reasonable assurance of repayment, even though the risk is substantial, how much power will it have after we modify this language in the guaranteeing of risks beyond what is a substantial degree of nonrepayment? If the Senator can answer that question, I would like to hear it.

Mr. MUSKIE. Mr. President, much of the discussion for the last hour or hour and a half has been an effort to try to give some insight into what judgment the

bank will apply to an undefined area of risk.

The only way I could satisfy the Senator, I suspect, would be to anticipate all applications for loans that might be filed with the Bank over the next 5 or 10 years and tell the Senator what the Bank would do under this authority.

We have to keep in mind the fact that the Bank has 34 years of experience in exercising its present authority in a way which, I think, meets with the approval of every Senator. Eximbank has been a sound Bank, a Bank which has sound reserves, a Bank which has contributed $535 million in dividends to the U.S. Treasury, a Bank which has a minimal record of losses.

That Bank, with that demonstrable judgmentmaking record, a record of having some appreciation of the kind of loan that was considered outside its present authority, comes to us and says, "Here is a risk which we can safely include if you want to give us the authority."

Mr. TOWER. Mr. President, what the new authority would do would be not to liberalize the basis of the judgment on which loans are made, but rather to evidence some relaxation as to where loans can be made.

Let me repair to the last answer of Chairman Linder to my questionnaire.

It states:

As my answer to the last question indicates, the new authority will not affect the Board's judgment on whether or not it should authorize a particular transaction under its regular programs, taking into account, among other factors, our existing exposure in the country. By the same token, any decision to increase the Bank's total exposure in a given country by making authorizations under the new authority but not under its regular authority would be made by the Bank's Board of Directors, using its best judgment. In the latter case, however, we would expect to seek and rely in substantial measure upon the recommendations of the proposed Advisory Committee.

The fact of the matter is that under the existing terminology, there is involved in the construction of reasonable reassurance of repayment not only the basis of judgment on the nature of the risk involved, and the likelihood of repayment, but also the amount of exposure a bank has in a given country.

Beyond that, take the case of a country whose economy has collapsed and which has been regarded as an area in which no loans could be made at all. If a sudden coup d'etat is successful, the entire nature of the problem changes overnight. We then have no existing credit rating for that country. The previous experience was very bad.

Are we to be bound to the rule that we cannot go into such a country and make loans that would appear to have a tremendous capacity for repayment and would generate further loans for the enrichment of the Export-Import Bank and would enhance the repayment of the old loans?

Mr. LAUSCHE. Mr. President, I concur with everything the Senator has said. However, the questions propounded here have been intended to ascertain what new risks the Export-Import Bank will be authorized to undertake.

Certainly, they have had a good record. It seems to me that Chairman Linder is saying to Congress, "We have operated this Bank on a sound basis. You are now asking us to assume guarantees on loans and other undertakings that are far more risky than the ones we have been inclined to undertake. Before we do that and undertake risks that are beyond substantial, we want Congress to say that we may do so."

Mr. TOWER. Mr. President, perhaps we are redefining the word "risk." What would change is not the substance of the judgment as to whether or not the loan is substantially repayable. We are trying to break out of the shackles of some conventional application of terms. It is just a matter of semantics.

Mr. LAUSCHE. The terms will be the same.

The Senator from Maine has repeated time and time again that there will be no change in terms, and the interest rates will be identical. The only difference will be in the risk that Congress authorizes the Export-Import Bank to assume.

Mr. MUSKIE. Mr. President, I yield to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, I should point out that first of all we are considering not the Senate bill, but the House bill.

Mr. LAUSCHE. I understand that.

Mr. DIRKSEN. Mr. President, I point out that in the House bill on page 2 they do not use the word "substantial." It relates to a continuation of loans that offer sufficient likelihood of repayment to justify the Bank's support in order to actively foster the foreign trade and long-term commercial interests of the United States.

I am not too sure that the Bank does not have that much latitude already. However, I am satisfied to see it in the legislation.

There is only one issue really involved. The Bank wanted $500 million, and we got the impression that they wanted to make more liberal loans.

I stated in our policy committee that I thought they were getting ready to open up a soft loan window, and I am against that sort of thing and for a reason. I think we have been decently generous in the whole field of foreign aid for a long time, and that it is about time we call a halt and get these things down on terms that are reasonably favorable to the United States for a change.

So that leaves one issue. The Bank was going to pick up the first $100 million of the loss, and then the Treasury would pick up the other $400 million if it went down the drain. I do not believe in that either. This is an agency unto itself. It is an independent agency, and let them stand on their own bottom. If they have losses, let us put it on them and not on some other department or agency of government. If they have commitments abroad that look shaky, well and good—not in one sense, but at least they have a reserve of $1.1 billion.

Why should the Treasury pick up their losses out of the people's Treasury? If you make the Bank do it, except for a hundred million dollars, you are going to get some discipline in the Bank, for one thing.

Do not forget that they have to come to Congress and give an accounting of their stewardship, and then we will know whether they have been good servants or bad. And that is the reason for this amendment. Having labored with it, with the distinguished Senator from Texas and the distinguished Senator from Maine and others, we all agree that this is a far better method.

I shall read, for the edification of Senators, a portion of the amendment, and I shall read it slowly:

SEC. 2. In the event of any losses, as determined by the Board of Directors of the Bank, incurred on loans, guarantees, and insurance extended under this Act, the first $100,000,000 of such losses shall be borne by the Bank;

That is the way an agency should be made to operate. That makes them strictly and completely accountable to Congress, and that means accountable to the people of the United States of America; because this is the people's money and the people's credit with which they are dealing, and the people have a right to know and to get as much of a safeguard as they possibly can.

Mr. LAUSCHE. I concur with that amendment.

Mr. DIRKSEN. Mr. President, I offer the amendment at this time, because we have generally all agreed on this.

Mr. LAUSCHE. But may I ask the Senator from Illinois, with his very incisive mind——

Mr. DIRKSEN. I do not have an incisive mind.

The PRESIDING OFFICER. The amendment offered by the Senator from Illinois will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 2, beginning with line 18, strike out all through line 13 on page 3, and insert in lieu thereof the following:

"SEC. 2. In the event of any losses, as determined by the Board of Directors of the Bank, incurred on loans, guarantees, and insurance extended under this Act, the first $100,000,000 of such losses shall be borne by the Bank; the second $100,000,000 of such losses shall be borne by the Secretary of the Treasury; and any losses in excess thereof shall be borne by the Bank. Reimbursement of the Bank by the Secretary of the Treasury of the amount of losses which are to be borne by the Secretary of the Treasury as aforesaid shall be from funds made available pursuant to section 3 of this Act. All guarantees and insurance issued by the Bank shall be considered contingent obligations backed by the full faith and credit of the Government of the United States of America.

"SEC. 3. There are hereby authorized to be appropriated to the Secretary of the Treasury without fiscal year limitation $100,000,000 to cover the amount of any losses which are to be borne by the Secretary of the Treasury as provided in section 2 hereof."

The PRESIDING OFFICER. Who yields time?

Mr. LAUSCHE. The Senator from Kansas has been waiting to speak.

Mr. PEARSON. That is all right. I wish to address a question to the distinguished manager of the bill.

The PRESIDING OFFICER. Who yields time?

Mr. MUSKIE. I yield to the distinguished Senator from Kansas.

The PRESIDING OFFICER. There is a time limitation of 15 minutes to a side.

Mr. TOWER. I yield 5 minutes to the distinguished Senator from Kansas.

Mr. PEARSON. One matter that concerns me, I say to the distinguished manager of the bill, is that, as I understand the authority of the Eximbank, it is $13½ billion, and that was increased, actually, in March of this year; was it not?

Mr. MUSKIE. The Senator is correct.

Mr. PEARSON. I do not remember what the increase was, but I suppose at that time the increase was made on the basis that they needed new authority to operate the Bank within section 2(b)(1), which is the reasonable assurance section. If that is so, I am wondering whether or not, under the authority of this bill, $500 million is to be taken out of this authority, which ordinarily would have been used within the section from which we are going to depart—which ordinarily would be used under the reasonable assurance section—and then use it here under a new risk section.

I believe the Senator from Washington, in a statement filed with the committee, made reference in an oblique way to the same matter. His statement reads:

> The new account must result in genuine additional exports for the United States. We must recognize the possibility that certain transactions represented to the Ex-Im Bank might simply be shifted to the new account, which, in the absence of this new facility, Ex-Im might have financed in any case under its regular authority.

All of this is by way of putting the question of whether or not we are removing from the $13.5 billion loans which ordinarily would have been made under the old judgment and shifting them over and making them now under a new risk policy.

Mr. MUSKIE. The $500 million authority for this new program would come out of the $13½ billion of existing authority which the Bank has. Whether or not this, as events unfold, would represent a transfer from some of the assurance of repayment loans to the other, I do not believe I can answer.

The Bank's authority in the past has never been geared to a particular term or a particular period of business. They always come to us when they need new authority, when the existing authority is used up.

I believe the net effect would be that this $500 million might expedite by some months the date upon which the $13½ billion would otherwise expire.

Mr. TOWER. We can conceivably generate new sources of importation from the United States or new opportunities for export, and particularly in terms of Indonesia. I do not wish to harp on that particular example, but here is a country with which we have had virtually nothing in the way of exports during the Sukarno regime. It requires investment of considerable capital. Everybody knows the investment of American capital abroad has proved to be very good, because we have realized more in the way of dividends than we have actually invested. It has been a favorable balance of trade factor, and the testimony before the Committee on Banking and Currency, time and time again, has brought this out.

Other countries are going to go into these higher risk areas. Japan is going in, West Germany is going in, the Dutch are going in, the French are going in—the French sometimes. Mr. de Gaulle is a little uncertain about some of these things.

We are in the situation of competing with these countries, and if we are not prepared to go into some of these higher risk areas, using sound judgment as to the potential for repayment, then I believe we might conceivably lose some potential markets.

Mr. PEARSON. Then, would the Senator say that one of the purposes of this bill is to meet the credit competition of the countries the Senator has named, and in addition to the special funds to the British and the Canadians?

Mr. TOWER. I would say that would be a very legitimate pursuit. We are talking about balance of payments, and one of the basic designs of this bill is to enhance our balance of payments.

I believe adequate legislative history has been made here to make it clear to the Bank that this is what we purport to do, and this is what must orient their judgment as to the nature of the credit they extend.

Mr. PEARSON. The point I was trying to develop is this: There is an authority of $13½ billion. That was increased this year. It was increased on the basis that we need this authority, that we need to make loans. We needed to make loans under the provisions and standards of section 2(b)(1).

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. TOWER. I yield 5 additional minutes to the Senator.

Mr. PEARSON. Now we come in with $500 million. The point has been developed, and expressed very well, that it is not different terms. It is the same interest rates, same down payment, same term for repayment. So there is no increase in the risk at all.

Are we taking authority from the Eximbank that they can normally make loans under section 2(b)(1) and now make them under this special fund for a greater risk?

Mr. MUSKIE. Let me put it this way, without trying to evade the question: The Bank's request for authority—its request for expansion to $13.5 billion—was based upon its estimate of the amount of business it would do over a period into the future. If we should increase our export sales and our export sales for credit, whether or not this bill is passed, obviously, that authority will run out sooner than the bank estimated.

Suppose, for instance, in 1968 our export sales goods is $30 billion, the highest figure in our history. Suppose that trend were to continue wholly independent of this legislation. Then, the credit sales associated with that growth would grow and the Bank's share of our credit sales which has been 10 or 11 percent for quite some time; so the Bank's share of that business would grow and the $13.5 billion would run out before the 5 years, whether or not this bill were passed. Obviously, since the purpose of the bill is to stimulate the growth of exports, the result would be comparable to the result I have described.

Mr. PEARSON. To get it out quicker and to get a quicker return on the payment.

Mr. MUSKIE. To sell goods and to get a quick return on the balance of payments.

Mr. TOWER. Let me reiterate what the Senator from Illinois said awhile ago. There is congressional oversight. The amount appropriated for this year is somewhat less than authorized. There is that check and an annual ceiling that is imposed through the appropriation process. Therefore, we will have congressional oversight.

Mr. PEARSON. I have one more question. I understand the $500 million comes within the $13.5 billion.

Mr. MUSKIE. The Senator is correct.

Mr. PEARSON. Within that the limitation upon loans and guarantees is $3.5 billion.

Mr. MUSKIE. Yes.

Mr. PEARSON. Would loans and guarantees out of the $13 billion come out of that limitation?

Mr. MUSKIE. The $13.5 billion as well as the $500 million for loans and guarantees are charged to the extent of 25 percent.

Mr. PEARSON. That is correct.

Mr. MUSKIE. So that if all of this $500 million were used for loans and guarantees the total could be $2 billion.

Mr. PEARSON. Would that be within $3.5 billion?

Mr. MUSKIE. That is correct.

Did the Senator from Ohio wish me to yield to him?

Mr. LAUSCHE. The Senator has answered the question I had in mind.

Mr. BYRD of Virginia. Mr. President, will the Senator yield to me?

Mr. MUSKIE. I yield 5 minutes to the Senator from Virginia.

Mr. BYRD of Virginia. Mr. President, I support the amendment offered by the distinguished Senator from Illinois. It seems to me that this proposal greatly improves the legislation which we are considering; and the House bill is superior, it seems to me, to the Senate version which was reported by the committee.

The statement has been made that Congress has legislative oversight and that is correct in the appropriation process.

However, I invite the attention of the Senate to the fact that when we pass this legislation we are declaring it to be the policy of the Congress that the Export-Import Bank should be taking more risk; then, when they lose the money and come back here and say, "Make it up out

of the Federal Treasury," we will be in the awkward position to appropriate the funds the Bank has lost, if they do lose.

I support the Export-Import Bank. I commend the management of the Bank. They have had an excellent policy for 34 years. I am wondering if we ought to change that policy. They have made great strides and they have been very helpful to the commerical international transactions of our Nation and have done a good job.

I am doubtful of the wisdom. I do not oppose or support the bill. I am trying to understand the bill. I still do not have a clear understanding of the language which provides "or of sufficient likelihood," but I am assuming, since we took that language, or the last part of the language submitted by the committee; namely, with respect to the policy of the Bank to make loans which do not meet the test of reassurance of repayment, that we do not want to go that far, and the language of the House bill, I assume, does not go that far.

If my assumption is correct this is a far better bill than was submitted to the Senate.

I wish to ask a question of the Senator from Maine. I believe I heard the Senator accurately in his opening statement when he stated that any loans made under this proposal would be specially designated on the books at the Export-Import Bank.

Mr. MUSKIE. The Senator is correct. I believe that language is in the bill.

Mr. BYRD of Virginia. I thank the Senator for clarifying that point.

Mr. MUSKIE. As I indicated in my prepared remarks, the Bank would first consider every application under the reasonable reassurance test of its authority. If it does not meet that test, it would reexamine it.

Mr. BYRD of Virginia. It would keep such loans separate on its books?

Mr. MUSKIE. Yes. This would be necessary because of separate authorizations.

Mr. BYRD of Virginia. That explanation clarifies that point, for which I thank the Senator.

On page 13 of the hearings there is printed a letter to the chairman of the committee, the distinguished Senator from Alabama, from the general counsel, Mr. Burt W. Roper. I wish to read one paragraph from the letter:

> The export sales that would be eligible for loans, guarantees and insurance from the new account established under S. 3218 would be those which the U.S. commercial banking system and the Export-Import Bank were not otherwise able to handle because further lending by these banks would be considered imprudent in light of their loans already outstanding and the overall exchange position of the importers' country.

I just wanted to read that one paragraph into the RECORD where this proposed new legislation would permit the Bank to make loans which are now considered imprudent.

Mr. MUSKIE. May I say, in light of the Bank's present authority, some of the loans already on its books would be considered imprudent by commercial banks without a Government guarantee or insurance provided by the bank; imprudent in the light of conventional banking policy.

Mr. BYRD of Virginia. I am aware of that.

Mr. MUSKIE. In the same way the Bank uses the word "imprudent" with respect to departing from application of its present authority.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of Virginia. Will the Senator yield for 1 additional minute?

Mr. MUSKIE. I yield 1 additional minute to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 1 additional minute.

Mr. BYRD of Virginia. The Bank is speaking not of commercial transactions when they use the word "imprudent" but as I understand the report it would be imprudent in light of its own method of doing business—it would be imprudent to make them under the present policy.

Mr. MUSKIE. The Senator has defined "imprudent" in light of the policy being applied. If a loan were made that is not within the policy it would be imprudent; if the Eximbank were to approve some of these loans it would be imprudent to do so in the light of its present policy.

Mr. BYRD of Virginia. I thank the Senator.

Mr. MILLER. Mr. President, will the Senator from Maine yield to me so that I may ask a question?

Mr. MUSKIE. I yield myself 2 minutes for the purpose of answering questions.

Mr. MILLER. I think discussion has been helpful up to a point, but any discussion on such a fine line as we are treading here, I think can only be made meaningful by example. I do not know whether it is possible for the Senator from Maine to obtain from the Export-Import Bank people this information but I suggest it would be most helpful for Senators if the Senator could obtain a list of loan applications which under present discretionary policy they feel do not fit within their longstanding record, and which, under the new policy, if we legislate this bill, would fit so that Senators can see, on an ad hoc basis, what kind of loans we are talking about. I think the Senator from Maine has done an excellent job pointing out that we can have a substantial risk and still not be imprudent; but I fail to see, really, when I get down to the line, where we draw the line between the high risk we are assuming under present policy and the high risk that they would assume under the new policy. The Senator from Texas has attempted to cover that in part by saying that it is really more on a country-by-country proposition——

The PRESIDING OFFICER. The time of the Senator from Maine has expired.

Mr. MUSKIE. I yield myself 1 more minute.

The PRESIDING OFFICER. The Senator from Maine is recognized for 1 minute.

Mr. MILLER (continuing). Rather than on each individual loan, but if the Senator from Maine could obtain some kind of list between now and tomorrow when we act on the bill, I think it will be most helpful to all of us. It certainly would be helpful to me.

Mr. MUSKIE. In connection with my prepared remarks, I placed in the RECORD and referred to them briefly, in detail, about five such situations. I would be happy to go into them in any degree.

Mr. MILLER. Are these actual cases?

Mr. MUSKIE. These are actual cases of loans before the Bank that have not been approved under its present policy, which it may or may not approve under the new policy. The Bank is not going to make any hard or fast judgments in advance. These are situations which would be appropriate for consideration under the new authority.

Mr. MILLER. Could the Senator add to that, perhaps, by a list or a number, so that we know whether we are talking about 50 or 100 loans, rather than just five illustrations?

Mr. MUSKIE. I put five illustrations in the RECORD.

The PRESIDING OFFICER. The time of the Senator from Maine has expired.

Mr. MUSKIE. I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Maine is recognized for 1 additional minute.

Mr. MUSKIE. There are other examples of these kinds of transactions.

Mr. MILLER. These are typical examples. If we could have an idea of the volume, I think that would be very helpful.

Mr. MUSKIE. There are five.

Mr. MILLER. These are just typical examples, but if we could have an idea——

Mr. MUSKIE. These are illustrative, actual cases. In some cases, the name of the country has been eliminated from the description. But these are actual cases.

Mr. MILLER. That would be helpful, but I still think that if the Senator could obtain from the bank say 50, 75, or 100 loans which probably would fit into the new policy and have not fitted into the old policy, it would be helpful to evaluate the degree to which we are legislating.

Mr. MUSKIE. Is the Senator asking whether there are now applications on file?

The PRESIDING OFFICER. The time of the Senator from Maine has expired.

Mr. MUSKIE. I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Maine is recognized for 1 additional minute.

Mr. MUSKIE. Is the questionnaire applications on file now, which might be up for immediate consideration?

Mr. MILLER. Not quite. I should like to know whether in the last 3 or 4 years there have been, let us say, 100 applications, or perhaps 50, which would have been approved under the new policy, or even 25, so that we will have an idea of the volume we are talking about. The Senator's illustrations will be most helpful, but I should like to know how many of the applications we are talking about occurred over a 2-, 3-, or a 4-year period.

Mr. MUSKIE. I would be glad to explore that again with the Bank, but let me say this to the Senator, that I have already asked the Bank that question several times. The Bank has given me these illustrations and then has made

the point that we are talking about, that in many cases the applications never come to the Bank because of the awareness of the Bank's existing policy; so that any figure, I suspect, may be a figure based on those that will be eligible.

Mr. MILLER. The Senator has done a good job and I would appreciate it if he would try to get that information.

Mr. MUSKIE. I will be happy to do so.

Mr. TOWER. Mr. President, I yield myself as much time as is necessary.

We have been debating and holding a dialog on the bill. I think that we had better not lose sight of the fact that the pending business, on which we have a control of time, is the amendment offered by the Senator from Illinois [Mr. DIRKSEN], which would limit the liability of the Treasury, under the provisions of the new authority, to $100 million. I think this is tightening up the provisions. It is a sound amendment which should be adopted. I think that Senators who have been questioning the measure would be in wholehearted support of the amendment offered by the Senator from Illinois.

Mr. LAUSCHE. Mr. President, will the Senator from Texas yield?

Mr. TOWER. I yield 2 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 2 minutes.

Mr. LAUSCHE. Mr. President, obviously, the Dirksen amendment will narrow the latitude under which the directors of the Bank will be able to assume increased risk guarantees. The amendment provides that the first $100 million of loans shall be borne by the Bank, the second $100 million will be borne by the taxpayers of the United States, and that all amounts beyond the second $100 million shall be borne by the Bank.

I believe that the proposal is sound. I agree with what the Senator from Illinois has said, that when the directors of the Export-Import Bank know that the final burden will fall upon the Bank and not upon the taxpayers, they will exercise greater care in determining what loans they will guarantee.

On final passage of the bill, to me, there is only one issue, under the present circumstances of the adverse imbalance of payments, and that is: Should we assume the risk of guaranteeing loans in order to sell goods around the world in excess of any program which we have thus far maintained?

We must procure foreign markets. We must do something about solving the imbalance of payments, but I shall want to discuss that subject a bit later. I think it is fitting to see whether the Government has explored to the fullest possible degree other avenues of help to solve our imbalance of payments. We should not try to solve them by allowing the Bank to enter into dangerous guarantees.

There are many other things that have to be done and I will want to discuss them in due time before the bill is passed.

Mr. BYRD of Virginia. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I yield.

Mr. BYRD of Virginia. I should like to ask the Senator a question for clarification of the amendment.

The amendment seeks to limit the liability of the Government but, then, in the last sentence of the amendment, it states:

"All guarantees and insurance issued by the bank shall be considered contingent obligations backed by the full faith and credit of the Government of the United States of America."

With that sentence in there, is the obligation, in fact, limited?

Mr. MUSKIE. This language is in here because there is no way to avoid the Bank's relationship to the credit of the U.S. Government. This conclusion was reached by an interpretation of the Bank's authority, by the Department of Justice, as I recall.

Mr. BYRD of Virginia. I am not opposing the amendment, or any part of it. I am wondering whether, with this sentence in it, the amendment is accomplishing what the earlier part of the amendment seeks to accomplish.

Mr. MUSKIE. The language in the bill the Senator has described is from an opinion of the Department of Justice. We are not undertaking to change the current status of the Bank's obligation. The effect of the amendment is to throw the burden upon the Bank's directors and policymakers to recognize the limitation upon their ability to draw directly from the Treasury for any losses under the new program.

Mr. TOWER. Mr. President, if the Senator will yield, this is the standard clause—that all the guarantees, insurance, and so forth, are backed by the full faith and credit of the United States.

Mr. BYRD of Virginia. So that does not restrict the earlier part of the amendment?

Mr. TOWER. No.

Mr. BYRD of Virginia. Mr. President, I yield back the remainder of my time.

Mr. MUSKIE. I yield back the rest of my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from Illinois [Mr. DIRKSEN].

The amendment was agreed to.

Mr. TOWER. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. MUSKIE. Mr. President, I move to table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. BYRD of Virginia. Mr. President, in the discussion with the Senator from Maine a few moments ago, he stated that the books of the Bank will specifically designate these loans and any other loans that may be transacted under this legislation. That brings to mind this point: Would the Senator from Maine be agreeable to an amendment under which the Bank would report quarterly to Congress the loans made under the new criteria? It seems to me that that would be helpful in considering future legislation. Also, we are changing the criteria by which loans should meet the test of reasonable assurance of repayment. We are broadening and lessening the criteria. That being the case, I am wondering whether the Senator will accept an amendment along the line of having the board of directors report to Congress the loans that are made under the new section.

Mr. MUSKIE. Mr. President, I see no difficulty whatever with such an amendment.

Mr. BYRD of Virginia. Mr. President, in that case, I submit the amendment for consideration and ask that it be stated.

Mr. TOWER. Mr. President, I see no objection to the amendment, and I am prepared to accept it for the opposition.

Mr. BYRD of Virginia. Mr. President, I submit the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

On page 2, after line 17, insert the following:

"(c) The Board of Directors of the Bank shall submit to the Congress for the calendar quarter ending September 30, 1968, and for each calendar quarter thereafter a report of all actions taken under authority of this Act duing such quarter."

Mr. BYRD of Virginia. Mr. President, I yield back the rest of my time.

Mr. MUSKIE. Mr. President, I yield back the rest of my time.

The PRESIDING OFFICER. All remaining time on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from Virginia.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. TOWER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 16162) was read the third time.

Mr. BENNETT. Mr. President, as a cosponsor of this proposal in the Senate, I made a statement when the bill was introduced expressing my views on it. Let me just repeat that I think it is a positive program which can contribute to bringing our balance-of-payments accounts into equilibrium. Certainly assistance to our private business firms to help them increase their exports is a much better approach than the self-defeating restrictions on export of capital and foreign investment.

The purpose of this bill is to provide financing assistance on similar terms as are now granted by the Export-Import

Bank but on which the repayment is somewhat more risky. It is not to set up what are commonly referred to as soft loans which border on foreign aid. Such loans would not contribute to a solution of our balance-of-payments problems but would only aggravate the situation.

Following our committee's approval of the proposal, the House acted on the same proposal and made some changes in the language to reflect the way the Bank witnesses testified the program would operate. These included restrictions on the sale of arms and the terms on which the loans under this new authority would be granted. Certainly there is no problem in my view with accepting the strengthened language adopted by the House. It merely holds the Bank operations to the testimony presented in the hearings.

I think that it is also important to point out that all of the restrictions applying to Export-Import Bank loans to Communist countries or those involved in assisting North Vietnam at the present time, will apply to loans made under this new authority.

Mr. MUSKIE. Mr. President, I have no desire to prolong the discussion today. I think the subject has been pretty well covered for the consideration of Senators who will study the RECORD tomorrow; but there is an additional piece of information relative to the operations of the Bank which might be helpful.

First, the total loan exposure which the Bank has incurred has been $25 billion. Against that exposure, the Bank has experienced losses, actually written off, of $8 million—an infinitesimal fraction of the total. Loans which are in default total, in amount of principal in default, $100 million.

I make the further observation that the Bank expects the new program to be a break-even one at worst.

Canada and Great Britian, which have programs comparable to that sought under the pending legislation, have found the programs to be moneymakers.

The Bank is more conservative in its estimates and suggests that it would be at worst a break-even program.

DOWNED AIRCRAFT RESCUE TRANSMITTERS

Mr. MAGNUSON. Mr. President, some days ago I introduced a bill which would require the installation of a downed aircraft rescue transmitter—DART—on most aircraft. Recently, in the State of Washington, certain incidents have been reported which reiterate the tremendously beneficial possibilities which could be realized from such legislation. I ask unanimous consent that articles published in the Seattle Post-Intelligencer and the Skagit Valley Herald be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Seattle (Wash.) Post-Intelligencer, May 18, 1968]

PRETTI AIDS IN RESCUE

Ron Pretti, state aeronautics director, yesterday helped rescue a 20-year-old Bellevue student pilot who was lost over the Pacific Ocean off Hoquiam.

The student pilot, Gregory Rex of 3122-98th Ave. NE, Bellevue, was guided to a safe landing at Hoquiam Airport. He was on his first cross-country solo flight.

"Our experience pointed up the value of electronic rescue equipment," Pretti said.

He was flying co-pilot with Jack Christensen, commission chief pilot, when he picked up a distress call from Rex. The latter said he had become disoriented in heavy overcast and asked the Federal Aviation Administration flight service station at Hoquiam for aid.

Christensen obtained flight service station permission to use the plane's VHF-DF electronic equipment to locate the student pilot, 53 miles away.

Pinpointing the lost pilot's location, Christensen notified the flight service station, and it plotted the location on a map. The station directed the lost pilot, who remained cool, to Hoquiam, where he made a good landing.

[From the Skagit Valley (Wash.) Herald, June 3, 1968]

BEACON LOST IN CASCADES, LOCATED IN 20 MINUTES

Expensive and time-consuming grid-pattern searches for downed aircraft can become the exception, rather than the rule. The method was dramatically demonstrated on a recent test officially conducted by the Washington State Aeronautics Commission, with the cooperation of the Civil Air Patrol.

In a simulated air-search mission, planes equipped with VH-12 Directional Instruments located a Life Pak Rescue Beacon hidden in the rugged North Cascade mountains, in just twenty minutes of flying time.

The VH-12 and Life Pak, manufactured by Micro Electronics, Inc., Anacortes, showed dramatically how precious hours, or even days, can be saved in locating crashed aircraft.

The Life Pak Rescue Beacon is little larger than a package of king-size cigarettes. The completely portable, battery-operated unit mounts easily in any plane. The beacon operates on impact or can be manually fired, and transmits on 121.5 MHz for as long as two days. Its range, depending upon altitude of the search plane, is up to 150 miles.

The VH-12 instrument couples to any standard VHF aircraft communications receiver. The signal received by twin antennas is translated into a positive direction, and indicated by the instrument needle.

For the test, a light plane was assumed to have been last heard from over the Cascades on a flight from Spokane to Victoria, B.C. Captain Larry Tucker of the Civil Air Patrol, a veteran air search pilot, traveled to the northwest slope of Green Mountain, about 15 miles northeast of Granite Falls.

The site is ten miles south of the direct air route the plane would have travelled. Tucker fired off the Life Pak rescue Beacon at 11 A.M., and two planes took off from Boeing Field to start the electronic search.

William H. Hamilton, Operations Officer, flew a State Aeronautics Commission plane. Also participating was Don Knutsen, president of Micro Electronics, Inc., in the company aircraft. The two planes headed north and climbed steadily toward the usual 10,000 foot search altitude.

While still south of Everett and at about 7,000 feet, both planes picked up the beacon signal. By following the direction needle on the VH-12 receiver, they passed directly over the carefully hidden transmitter just 20 minutes after takeoff.

Hamilton flew low to identify fluorescent signal panels laid out to mark the site. It was confirmed officially, and the test pronounced a complete success, just 37 minutes after the start of the operation.

The test marked the third anniversary of the disappearance of Wing Luke, Seattle City Councilman, and two other persons, on a flight over the northern Cascades. Despite a prolonged and intensive search no trace has ever been found of their plane.

Senator Warren G. Magnuson, long interested in air safety, estimated the cost of the Wing Luke search to local, state and federal agencies, alone, at approximately one million dollars. By way of contrast, the VH-12 unit sells for about $279, and the Life Pak Beacon for $219.

Luke and his companions were only three of a dozen people who have taken off from Washington State Airports during the past five years, never to be seen again. The Washington State Aeronautics Commission is vitally interested in any system that will save lives, and eliminate the need for such costly searches.

So, it's not surprising that the Commission requires a direction-finding receiver and a beacon transmitter on all state-owned aircraft, and on all planes doing contract work for the state. As proven, economical and readily available types, the Micro Electronics products have been installed.

Thankfully, the Life Paks have not had to prove their value. But the VH-12 Directional Instruments in state-operated aircraft have figured in two rescue operations in recent months. A plane down near Stampede Pass was located and its pilot saved. And the day before the simulated test, another pilot was located over the ocean and guided to a safe landing at Hoquiam.

THE AMERICAN TRAGEDY

Mr. MAGNUSON. Mr. President, Mr. Hugh Davis, a distinguished news commentator in the eastern part of the State of Washington and president of Columbia Empire TV, broadcast an editorial on June 6, 1968. Because the editorial is particularly fitting for the times, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EDITORIAL

Announcer. Here with an editorial is Hugh Davis, President of Columbia Empire TV:

Mr. DAVIS. Those of us who saw the portion of the NBC coverage of the California primary the night before last on KNDO and KNDU watched in almost disbelieving horror as yet another chapter of the American tragedy unfolded before our eyes. The story continued on these stations throughout the night and is still going on as a full realization of the total revulsion in the pit of our stomachs that has almost become an American way of life is driven home time and time again.

Last night at 11:30 the NBC news team, of which we are very proud to be a part, headed by anchorman Frank McGee and featuring reports and comments by Chet Huntley, David Brinkley, Sandor Vanocur and others, tried to find some of the answers as to what is wrong with us.

Senator Birch Bayh, among others, deplored the fact that we are living in a state of almost anarchy where a minority of our people—and we're not so sure that its a small minority—apparently feels that it has a constitutional right to break the law under the guise of freedom. From the shooting of President John Kennedy four and a half years ago and the assassination of Reverend Martin Luther King, to the rioting and looting of many major cities, and even the take-over of a major college campus by a mob, and now to the senseless killing of Senator Robert Kennedy, the bits and pieces of shameful actions are forged into the face that we turn outward toward the world.

Where will it end? Last night David Brinkley voiced the words that we have all feared in our hearts when he said that . . . "If the

people cannot control these senseless outbreaks, then the Government will be forced to do so, and it will do it with a police state action. Police states lead to dictatorships where the people don't shoot the officials—the officials shoot the people—and we will have lost the freedom under which banner these terrible things repeatedly occur."

Sander Vanocur concluded his remarks last night by saying that four and a half years ago we spent several days mourning the assassination of President Kennedy, and then did nothing more. The American people did the same for the memory of Reverend Martin Luther King; and he wondered if we would probably mourn the memory of Senator Robert Kennedy, and again, do nothing more.

Is this then what it all comes down to? Will we continue to have so little regard for the life and property of our neighbor that we continue the downward spiral of morality until the American dream becomes a nightmare? I don't know about you, but as for me, I'm ashamed of it all—ashamed enough to stand up and be counted with an opinion in three areas that I think could at least help start us on the road back to respectability.

First, while it is true that gun legislation will probably not have an immediate effect on our terrible situation, and certainly many other reforms will be necessary, we are told that the sportsman would resent the inconvenience caused by the simple necessity to register their firearms. In fact, last night I heard that the Justice Department mail on the question is currently running nine to one against gun legislation. It occurs to me that you and I have not made our wishes known and as usual have let the special interest groups dominate by way of a lobby against gun legislation. . . Couldn't it be time now for a simple question to the American sportsman to the effect that what is wrong with the simple act of having to register firearms if it could in any way help ease the situation.

Secondly, the almost fanatical concern for the rights of the individual, to the apparent exclusion of those of the people as a whole, by the courts—including especially the United States Supreme Court—is something that I fail to understand. The seeming permissiveness that has our officials saying "Let them riot and loot a little bit and maybe they'll get it out of their systems" must be stopped.

If it's against the law—it's against the law. A too liberal interpretation of the law of land has left us wounded and bleeding. I think that it's time to do something about it.

Thirdly, because I believe in first things first, I believe, I think, that we should first put our own house in order before we attempt to tell the rest of the world how to live. While the needs of two hundred million people cry to be heard here at home, we lost another forty-three hundred young Americans killed or wounded last week alone in Viet Nam. Fighting in a war that has no beginning or end. The corruption of our South Vietnamese allies is appalling and you can't tell friend from enemy without a daily scorecard. We are obviously going nowhere and we're going more rapidly all the time . . . therefore, what are we really doing in Viet Nam? I have thought long and hard about our commitment there and I know that I'm just one voice in two hundred million, but I vote to come home and start to pick up the pieces here. If this means a period of isolationism, then I guess I feel that a little isolationism at this point in time wouldn't hurt a bit. As a matter of fact, perhaps the world isn't ready for us to be all things to all men. Maybe we're not ready either.

Now, because I feel that it is time to stand up and be counted, I am delivering a copy of this editorial to Congresswoman Catherine May and Senators Warren Magnuson, and Henry Jackson, with the prayer that perhaps together we can find that new beginning. If you feel the same about any or all of my thoughts, then I urge you to join me. . . . however, don't you think that the real answer lies within our souls? We've slipped a long way, and the road back is not going to be easy. We'll all have to work very hard, but perhaps what our country really needs is a little honest toil. As Charles Kingsley said a hundred and ten years ago, "Being forced to work, and forced to do your best, will breed in you temperance, self control, diligence, and strength of will, cheerfulness and content, and a hundred virtues which the idle never know".

Because of the idiosyncrasies of the broadcast law, I must now state that I have attempted to find opposing viewpoints to my conclusions and herewith additionally offer public service time on KNDO and KNDU for the airing of a reasonable opposing view.

Thank you.

NEED FOR AN ADEQUATE GUN-CONTROL LAW

Mr. MAGNUSON. Mr. President, the American Advertising Federation, the largest advertising group in the United States, issued a special bulletin on June 14, 1968. The bulletin expresses its deep concern, as does the entire country, about the need for an adequate gun-control law. It believes that Congress should take action to remedy the situation by adopting what is calls a much more responsible firearms policy.

The federation suggests that its members support such a law by signing a petition sponsored by the National Council for a Responsible Firearms Policy, which has as its president Mr. James V. Bennett, formerly Director of the U.S. Bureau of Prisons.

I ask unanimous consent that the bulletin and the form of petition be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD as follows:

JUNE, 14, 1968.

SPECIAL BULLETIN

The American Advertising Federation is concerned, as the entire country is, about the need for an adequate gun control law.

J. Edgar Hoover states "The easy accessibility of firearms is a significant factor in murders committed in the United States today."

Statistics show that guns claim on the average of 50 lives a day, or one every half hour.

President Johnson has said "To pass strict firearms control laws at every level of government is an act of simple prudence and a measure of civilized society. Further delay is unconscionable."

The New York Times reported in an editorial June 11 on the strict law enacted two years ago in New Jersey stating "Despite initial opposition from sportsmen, the sale of hunting licenses has increased . . . The law is preventing the sale of guns to those who should not have them and it is not deterring legitimate sportsmen."

Advertising Age in an editorial in its June 10 issue has come out in the strongest terms for strict gun control laws and has urged the advertising community generally and the advertising associations and the AAF specifically to lend active support to those seeking enactment of such laws at the state and federal levels.

The AAF believes that even though not directly bearing on advertising, this issue is of such paramount importance that exceptional action is called for. The AAF recognizes that a strict gun control law is no panacea and will not completely eliminate murder, other violent crimes or even illegal traffic in guns any more than any law eliminates all violations. But it is a first and necessary prudent step and is indeed a measure of civilized behavior.

The AAF does not believe that hunters and sportsmen can reasonably object to buying their hunting and sports gun over the counter rather than through the mail. Neither do we believe that registration of guns and obtaining permits is too heavy a burden for legitimate hunters and sportsmen to bear in order that easy accessibility of guns for those who should not have them may be curtailed.

Similar licensing and permit requirements are in the American tradition, for example, with regard to motor vehicles and the ownership of pets.

For these reasons the AAF is urging all of its members who support the following to write directly to their Representatives and Senators urging adoption of gun control legislation which:

1. *Bans* mail order sales or rifles and shotguns as well as hand guns, sales to individuals under 18, and out-of-state purchases.

2. Requires the registration at the state and/or national level of all firearms possessed, sold or transferred.

3. Provides for state law requirements that gun purchases be made only through permits calling for adequate identification and a waiting period for a police check.

As an alternative, or in addition, AAF members supporting such a law may want to sign the attached petition sponsored by the National Council for a Responsible Firearms Policy, which has as its President, James V. Bennett, former Director, U. S. Bureau of Prisons, and has on its Board of Directors such nationally known figures as Mayor John Lindsay, New York; former Mayor of Cincinnati, Charles P. Taft; Erwin Canham, Editor of Christian Science Monitor; Judge David L. Bazelon, Chief Judge, U.S. Court of Appeals, District of Columbia; and, Dr. Karl Menninger, Chairman of the Menninger Foundation.

We urge each advertising club to reproduce this Special Bulletin and the attachment for mailing to each member of the Club. We urge each advertiser member supporting such legislation to endorse publicly the enactment of a strict gun control law and that advertisers and clubs support the National Council for a Responsible Firearms Policy in its efforts to obtain 10 million signatures in support of its petition.

KENNETH LAIRD,
Chairman.
HOWARD H. BELL,
President.

A PETITION FOR GUN CONTROL NOW

To: The President, Members of Congress, and State government officials.

We, the undersigned, favor immediate action to control the sale, possession and use of handguns, rifles and shotguns.

Such federal and state legislation should include the following:

1. Regarding rifles and shotguns, there should be a ban on mail-order sales to individuals, on sales to those under 18, and on out-of-state purchases.

2. All firearms possessed, sold or transferred should be registered at the state and/or national level.

3. States should require that gun purchases be made only through permits calling for adequate identification and a waiting period for a police check.

This we urge in the name of President John F. Kennedy, Senator Robert F. Kennedy, Dr. Martin Luther King, the 6,500 others killed annually, and in the name of a more civilized and less violent United States society.

	Name	*Address*
1.		
2.		
3.		
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8.		
9.		
10.		

Please return this petition immediately to the National Council for a Responsible Firearms Policy, 100 Maryland Avenue, N.E., Washington, D.C., 20002. As soon as sufficient petitions are on hand, they will be presented in a public ceremony to the appropriate officials.

JAMES V. BENNETT,
President, National Council for a Responsible Firearms Policy (and Former Director of U.S. Bureau of Prisons).

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 2276) to amend the Watershed Protection and Flood Prevention Act to permit the Secretary of Agriculture to contract for the construction of works of improvement upon request of local organizations.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 6157) to permit Federal employees to purchase shares of Federal- or State-chartered credit unions through voluntary payroll allotment.

PROGRAM

Mr. TOWER. Mr. President, while the distinguished majority leader is present in the Chamber, I ask him concerning the agenda for the remainder of the day.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I expect that when the distinguished Senator from Texas finishes speaking, he may want to move to adjourn the Senate.

Mr. TOWER. Mr. President, the Senator from Texas has no more to say today.

ADJOURNMENT

Mr. TOWER. Mr. President, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 52 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, June 18, 1968, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate June 17, 1968:

IN THE ARMY

Gen. Earle Gilmore Wheeler, O18715, Army of the United States (major general, U.S. Army), for reappointment as Chairman, Joint Chiefs of Staff, for an additional term of 1 year.

IN THE NAVY

Having designated Rear Adm. Ralph W. Cousins, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, I nominate him for appointment to the grade of vice admiral while so serving.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 17, 1968:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Lynn M. Bartlett, of Michigan, to be an Assistant Secretary of Health, Education, and Welfare.

Alice M. Rivlin, of the District of Columbia, to be an Assistant Secretary of Health, Education, and Welfare.

Pardo Frederick DelliQuadri, of Hawaii, to be Chief of the Children's Bureau, Department of Health, Education, and Welfare.

COUNCIL OF ECONOMIC ADVISERS

Warren L. Smith, of Michigan, to be a member of the Council of Economic Advisers.

OFFICE OF ECONOMIC OPPORTUNITY

James D. Templeton, of Kentucky, to be an Assistant Director of the Office of Economic Opportunity.

FEDERAL COAL MINE SAFETY BOARD OF REVIEW

George C. Trevorrow, of Maryland, to be a member of the Federal Coal Mine Safety Board of Review for a term expiring July 15, 1973.

NATIONAL LIBRARY OF MEDICINE

The following-named persons to be members of the Board of Regents, National Library of Medicine, Public Health Service, for terms of 4 years from August 3, 1968:

William George Anlyan, of North Carolina.
Max Michael, Jr., of Florida.
George William Teuscher, of Illinois.

NATIONAL SCIENCE BOARD

The following-named persons to be members of the National Science Board, National Science Foundation, for a term expiring May 10, 1974:

Philip Handler, of North Carolina.
Harvey Brooks, of Massachusetts.
Norman Hackerman, of Texas.
Frederick E. Smith, of Michigan.
R. H. Bing, of Wisconsin.
William A. Fowler, of California.
Grover Murray, of Texas.
James G. March, of California.

IN THE ARMY

The following-named officers, under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grades as follows:

To be general

Lt. Gen. Bruce Palmer, Jr., O20117, Army of the United States (major general, U.S. Army).

To be lieutenant generals

Maj. Gen. John Edward Kelly, O20156, U.S. Army.

Maj. Gen. Richard Giles Stilwell, O21065, U.S. Army.

Maj. Gen. Walter Thomas Kerwin, Jr., O21963, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Donald Vivian Bennett, O23001, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. Robert Howard York, O21341, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of lieutenant general, under the provisions of title 10, United States Code, section 3962.

The following-named officers, under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grades as follows:

To be general

Lt. Gen. Berton Everett Spivy, Jr., O19479, Army of the United States (major general, U.S. Army).

To be lieutenant generals

Maj. Gen. William Pelham Yarborough, O20362, U.S. Army.

Maj. Gen. John Jarvis Tolson III, O20826, U.S. Army.

IN THE MARINE CORPS

Lt. Gen. Ralph K. Rottet, U.S. Marine Corps, for appointment to the grade of lieutenant general on the retired list, in accordance with the provisions of title 10, United States Code, section 5233, effective from the date of his retirement.

IN THE ARMY

The nominations beginning Thomas Abercrombie, to be first lieutenant, and ending Alfred J. Ziegler, to be first lieutenant which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on June 6, 1968.

HOUSE OF REPRESENTATIVES—*Monday, June 17, 1968*

The House met at 12 o'clock noon.

His Beatitude Maximos V Hakim, patriarch of Antioch and of all the East, of Alexandria and of Jerusalem, offered the following prayer:

Blessed be the kingdom of the Father and of the Son and of the Holy Spirit, now and always, and forever and ever.

In peace, let us pray to the Lord.

For the peace from on high and for the peace of the whole world.

But let us remember, O Eternal Father, that peace is not only the absence of war but the tranquillity of order—order built on freedom and dignity and justice for all men.

Thou, who art the lover of all men, grant to these Thy servants, the Members of this honorable assembly upon whom rests an awesome responsibility in these troubled days, the vision to see Thy way and the will to follow it.

Bless them, O Most Holy One, and guide them and instill in them the courage to lead, the wisdom to perceive, and the determination to build the good society for all men everywhere.